NEGOTIATING THE MIDDLE: THE CONSTRUCTION OF CAFTA-DR THROUGH
DISCOURSE IN THE UNITED STATES AND COSTA RICA

by

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ABSTRACT OF THE DISSERTATION

Negotiating the Middle: The Construction of CAFTA-DR through Discourse in the United States and Costa Rica

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Dissertation Director:

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This dissertation explores the ways in which the broader ideological positions of neoliberalism and “socialism for the 21st century” pressure the discourse of CAFTA-DR in the U.S. and Costa Rica. Through a frame analysis of mainstream newspapers “of record,” The New York Times in the U.S. and La Nación in Costa Rica, along with independent and campaign discourse in Costa Rica, substantial reflection, negotiation, and rejection of the discourses of neoliberalism and “socialism for the 21st century” was found. The discourse of the Times largely reflected the discourse of neoliberalism, and La Nación largely echoed the NY Times’ framing. The Costa Rican discourse was more nuanced than the Times, illustrating the effect of both national cultural, and broader ideological pressures from below. Reflections of neoliberal discourse were found in La Nación’s and the “yes” campaign’s framing of CAFTA-DR, as both sources constructed the agreement as progress and advancement, and good for Costa Rican consumers. Negotiation of neoliberal and “socialism for the 21st century” discourses was also detected, with La Nación and the “yes” campaign negotiating a middle position by muting the strong individual rhetoric of neoliberalism and instead using more popular imagery of the “people”
and “families.” The discourse of “socialism for the 21st century” was also rejected, as the social movement in the street was constructed negatively, framed as social disorder and tied to notorious, foreign “communist” actors such as Hugo Chavez and Fidel Castro. The independent media and the “no” campaign framing of CAFTA-DR through calls to, and images of, the social movement in the streets, reflected the more popular discourse of solidarity and participation that is encapsulated by “socialism for the 21st century.” Both oppositional sources, however, balanced this reflection with a negotiated position that incorporated institutional resolution of CAFTA-DR (through the referendum, the legislature, etc...) and called for “free” trade with the United States. Despite this negotiation, evidence of a rejection of the strong neoliberal discourse of individualism was seen, as a main argument against CAFTA-DR was that it would benefit only a few, transnational and local capitalists.
Acknowledgement

I am forever grateful to Deepa Kumar, who not only served as Chair of my committee, but also as a trusted colleague and friend. I could not have completed this process without her, nor without the colleagues who sat on my committee more generally. I am also forever grateful to my friends and family, who provided shoulders upon which to cry, and much appreciated comic/social relief during my most stressful days.
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Introduction

On January 1, 2006 the Central American Free Trade Agreement (CAFTA-DR) was scheduled to take effect between the United States, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua. Shortly before this implementation date, the Office of the Trade Representative of the United States (USTR) announced that the deadline would not be met for the trading group as a whole, and that CAFTA-DR would instead be implemented “on a rolling basis as countries make sufficient progress to complete their commitments under the agreement” (Norton, 2005, ¶1). Despite official U.S. claims that the delay was caused by the inability of the southern signatories to harmonize their local legislation with that of the United States (Latin America Weekly Report, December 6, 2005), other factors, such as resistance from above (from political actors within the Central American legislatures) and more popular resistance from below (such as powerful social movements of citizens in the streets), effectively stalled the push to implementation. This development marked a turning point in the U.S.’s position as hegemon in terms of trade negotiations – a position that has been further challenged by the deepening economic crisis of 2008/2009. Within this context, CAFTA-DR provides a lens through which to study the discursive framing of “free trade” in both

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1 CAFTA-DR was put into force in El Salvador on March 1, 2006; in Honduras & Nicaragua on April 1, 2006; in Guatemala on July 1, 2006; and in the Dominican Republic on March 1, 2007. After a process lasting almost 5 years, and including a public referendum on the issue – Costa Rica ratified CAFTA-DR in October 2007, and the agreement went into force on January 1, 2009.

2 The world economic situation changed dramatically over the course of the CAFTA-DR process. The subprime mortgage crisis that struck the U.S. housing market in 2007, spread to international financial institutions in 2008, causing credit to virtually dry up, and stock markets to crash. As the full weight of the crisis came to bear in 2008 and 2009, its dynamic is not addressed here as a component of the political economy that shaped the CAFTA-DR process. As an “epilogue” or potential “next step” in research, it would be interesting to see how, or if, the U.S.’s response to the crisis – currently the drive to regulation and the denunciation of the free market model – opens up spaces for alternative models in Latin America.
the United States and Costa Rica. In what ways have supporters articulated their position? In what ways have opponents articulated their position?

This articulation, however, does not occur in a vacuum. It is part and parcel of a larger struggle for hegemony between discourses from above and forces from below. With CAFTA-DR, the countries of Central America and the Caribbean find themselves not only in the geographic middle – poised between North and South America – but also in the ideological middle, being pulled in opposite directions by the globalization from above (neoliberalism) advocated by the United States (in the form of CAFTA-DR), and the globalization from below (“socialism for the 21st century”) being advocated by countries such as Brazil, Venezuela, Bolivia and Argentina (in the form of MERCOSUR and the Alternativa Bolivariana para las Américas – ALBA). Resistance governments in these countries – Brazil, Venezuela, Bolivia and Argentina – referred to as “resistance from above,” reflect an institutionalized resistance to neoliberal globalization. Additionally, various people's movements in these countries have articulated a “resistance from below” by taking to the streets and organizing around alternatives to neoliberal policies.

To be clear, this study is not an investigation into the roles played by the various social and political actors in the struggle for CAFTA-DR, nor an investigation into public opinion or why the agreement was ultimately sanctioned by the Costa Rican people through a public referendum. Instead, this is an investigation into the ways in which CAFTA-DR was framed through discourse. What discursive strategies were employed in the debate to articulate positions for, and against, the agreement? In what ways does the discourse of CAFTA-DR reflect, negotiate, or reject the
discourses of neoliberalism and “socialism for the 21st century” that occupy the outer ideological poles of the broader debate? These questions, along with the ones posed above, will be answered by placing the discourse of CAFTA-DR under the lens for analysis, first in the United States through an analysis of how the “paper of record” - The NY Times – framed the agreement, and then in Costa Rica through an analysis of discourse in the comparable La Nación newspaper, along with analyses of independent/social movement media and campaign discourse.

**Why Costa Rica?**

At first glance, Costa Rica is perhaps less known for social movements than other Central American countries such as El Salvador, Guatemala, and Nicaragua, where brutal dictatorships and U.S. intervention inspired more visible and explosive social movements. Yet, while each of the six signatories saw resistance to CAFTA-DR, Costa Rica mounted the most protracted and successful campaign against the free trade agreement. For over five years, the campaign against CAFTA-DR synthesized resistance from above with resistance from below. That is, oppositional parties such as the Citizen’s Action Party (Partido Ciudadana Acción), Broad Front Party (Frente Amplio), and the Accessibility Without Exclusion Party (Partido Acesibilidad Sin Exclusión) submitted 360 motions to extend debate of the CAFTA-DR legislation,\(^3\) and made appeals to the constitutional court (Sala IV) to rule on whether CAFTA-DR violated the Costa Rican constitution. Similarly, a truly “broad front” of social organizations emerged in resistance to CAFTA-DR, forming a

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\(^{3}\) Reported by La Nación, December 11, 2006.
coordinated “resistance from below” on the streets of Costa Rica. A chronology of “actions” can be reviewed in Appendix 1: The Timeline of CAFTA-DR Events.

Together, the resistance from above, and resistance from below, was successful in slowing down the progress of CAFTA-DR for almost five years, ultimately forcing the world’s first public referendum on a free trade agreement. The fact that no other country had ever put a free trade agreement to a popular vote until Costa Rican voters took to the polls on October 7, 2007\(^4\) establishes CAFTA-DR in Costa Rica as a worthwhile study. Through the referendum, Costa Ricans ultimately voted – by a margin of 52% in favor of, and 48% opposed – to ratify CAFTA-DR. The length of the CAFTA-DR process, the passion behind the issue, and the historic “world’s first public referendum” on a free trade agreement generated an abundance of discourse on both sides of the debate, and through a variety of media. This makes Costa Rica a data rich environment in which to study discursive constructions of CAFTA-DR.

**Methodology in Brief**

In order to gain the most holistic perspective on the discourse of CAFTA-DR, a comparative frame analysis was conducted – comparing the Costa Rican discourse with constructions of the agreement in the United States, through an analysis of the *NY Times’* coverage. The discourse of CAFTA-DR in the United States was quite limited, resulting in a final data set of 53 *NY Times* articles.\(^5\) In Costa Rica the

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\(^5\)Methodological considerations are addressed in more depth in chapters 2 & 3 along with Appendix 2. Briefly, however, *The NY Times* was isolated as representative in terms of U.S. discourse on CAFTA-DR because it is not only considered the “paper of record” for the United States, but also
discourse was more abundant and diverse, including mainstream/commercial news discourse, independent news discourse, in addition to formally funded and grassroots campaign discourse. As a result, two types of discourse were analyzed in Costa Rica – “news oriented” discourse, which refers to articles published through the mainstream La Nación newspaper; independent media discourse sourced through the website of the Union of Public and Private Workers (ANEP); and “campaign oriented” discourse, which refers to the discourse delivered in non-news format as part of both the formal and informal campaigns either for or against CAFTA-DR. The “news oriented” discourse was compiled into a data set of 1,316 articles, while the “campaign oriented” discourse was compiled into a data set of 147 videos retrieved from YouTube and the website of the privately funded group “For Costa Rica” (Por Costa Rica). The data set is broken down and illustrated in Table I.1.

<table>
<thead>
<tr>
<th>News Oriented Discourse</th>
<th>Data Set</th>
<th>Findings Presented</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>NY Times</em></td>
<td>53 Articles</td>
<td>Chapter 2</td>
</tr>
<tr>
<td><em>La Nación</em></td>
<td>986 Articles</td>
<td>Chapter 5</td>
</tr>
<tr>
<td><em>ANEP</em></td>
<td>330 Articles</td>
<td>Chapter 6</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Campaign Oriented Discourse</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>“Yes” Campaign</td>
<td>61 Videos</td>
<td>Chapter 4</td>
</tr>
<tr>
<td>“No” Campaign</td>
<td>86 Videos</td>
<td>Chapter 4</td>
</tr>
</tbody>
</table>

Table I.1: Data Set Breakdown – Source, Artifacts, Findings

because it shares editorial and audience leanings with *La Nación*, thus strengthening the explanatory power of the comparison.
The data set was analyzed via the grounded theory approach to frame analysis. This method calls for a series of close readings to be performed, during which a list of frames and themes is compiled that describes the discourse. Through the process of constant comparison, individual frames and themes from the list are related to one another, and collapsed into broader categories or “packages” that serve to explain the discourse. This method of analysis is described more thoroughly in Chapters 2 & 3, in addition to the Methodological Appendix that accompanies this work.

The Chapters

Chapter 1, “An Introduction to International Political Economy: Mapping out Positions from Above, from Below, and in the Middle” provides the ideological underpinning for the analysis of the discourse of CAFTA-DR in the U.S. and Costa Rica. The discourse of neoliberalism and “socialism for the 21st century,” along with a precarious “middle” position is defined and illustrated. By mapping out these broader discourses first, it will then be possible to locate them within the discourse of CAFTA-DR.

Chapter 2, “CAFTA-DR in the United States: A Less Ambitious Agreement” presents the findings from the frame analysis of the NY Times’ coverage of the CAFTA-DR issue. With relatively sparse coverage and a narrow discursive field limited to government sources and the Business/Financial pages, the Times framed CAFTA-DR in terms of “progress” and “protection.” Despite an overall negative tone, the coverage largely supported CAFTA-DR as a “good treaty” for the United States and Central America. The true criticism in the coverage was reserved for the process
of CAFTA-DR, not the agreement itself. That is, political jockeying in Congress was
framed negatively, as protectionism, and indicted as making CAFTA-DR a less
ambitious agreement. Yet still, the Times communicated the sentiment that even a
“bad CAFTA-DR” was better than “no CAFTA-DR” at all.

Chapter 3, “CAFTA-DR in Costa Rica: Historical Perspective, Media
Environment & Method of Analysis” sets the stage for the subsequent analysis of
news-oriented and campaign-oriented discourse of CAFTA-DR in Costa Rica. The
chapter points out how Costa Rica’s long-standing democracy, its strong state model
of development, and its strong social institutions not only set it apart from its
Central American neighbors but also created a unique environment within which
the discourse for and against CAFTA-DR was situated. This history, along with a
media system that is on the one hand described as “vibrant” while on the other
described as “highly concentrated and generally conservative,” creates boundaries
and provides explanation for the discourse. The chapter also outlines the sampling
method for the Costa Rican discourse and includes a breakdown of the data set.

Representing the most heated moments of the CAFTA-DR debate in Costa
Rica, Chapter 4, “Campaign Oriented Discourse: Authenticity, el Pueblo, and CAFTA-
DR,” presents the findings of the frame analysis of 147 videos from the “yes” and
“no” campaigns. Through imagery and storytelling, both sides struggled to present
its position as “authentically” Costa Rican, and distinguish it from the “inauthentic”
position of the other side. Claims of authenticity are made through the discourse
and imagery of el Pueblo – literally, “small town;” more figuratively, “the Costa Rican
people.” At its core, much of the discourse of CAFTA-DR was a struggle to impose
one definition of *el Pueblo* as hegemonic over the competing definition. The “yes” campaign envisioned *el Pueblo* through mostly middle class imagery, yet also included peasant/indigenous imagery as part of its framing of CAFTA-DR as “advancement” (*adelante*). The “no” campaign envisioned *el Pueblo* through more working class or popular imagery, largely consisting of the social movement in the streets, and other collectives of the people.

Chapter 5, “La Nación’s Framing of CAFTA-DR: Making CAFTA-DR Happen” presents the findings of the frame analysis of 986 articles published by the mainstream newspaper, *La Nación*. While CAFTA-DR is not idealized through the framing, the overall message presented is that CAFTA-DR is a “good agreement” that will not solve all of Costa Rica’s problems, yet which Costa Rica cannot afford to miss out on. Most tellingly, *La Nación* frames the legitimate resolution of CAFTA-DR as happening through institutional channels – such as the legislature, Constitutional Court (Sala IV), and the Electoral Tribunal – rather than through social action in the street.

Chapter 6, “Alternative ‘News Oriented’ Discourse of CAFTA-DR: Making a ‘Better’ CAFTA-DR Happen,” presents the frame analysis of the 330 articles sourced from ANEP’s website that constituted, for the purposes of this study, the oppositional news oriented discourse on CAFTA-DR. While the oppositional discourse made a clearer class distinction between the interests of the People (*el Pueblo*) and the interests of capital, it largely accepted the terms of debate as set by the mainstream *La Nación*. That is, despite calling for social action in the streets, the discourse also accepted, and in some ways advocated for, institutional routes to
resolution of CAFTA-DR. This framing of CAFTA-DR represents one of the clearest illustrations of the precarious “middle” theorized in Chapter 1, as the opposition synthesized the broader neoliberal and popular/socialist discourses to generate a middle discourse in its framing of CAFTA-DR.

On the whole, the study found substantial evidence that the discourse of CAFTA-DR – both in the United States and Costa Rica – was largely shaped by the broader discourses of neoliberalism and “socialism for the 21st century” that place pressure from “above” and “below.” The mainstream newspapers – The New York Times in the U.S. and La Nación in Costa Rica – reflected more heavily the discourse of neoliberalism. The Times’ framing of CAFTA-DR was in near perfect alignment with the discourse of neoliberalism. The Times presented CAFTA-DR as a “good” agreement, yet offering only “free trade with an asterisk,” because of political lobbying and protectionism. La Nación’s discourse privileged the neoliberal frame of CAFTA-DR, but localized it through the discourse of el Pueblo, which put a Costa Rican face and collective language on the benefits of CAFTA-DR, even though it would largely benefit the capitalist class.

With La Nación, however, a negotiated middle ground became evident that would also be echoed through the “yes” campaign discourse. Neither discourse was able to use the strong individual rhetoric that is hallmark of neoliberalism as defined in Chapter 1. Instead, the discourse of CAFTA-DR through these sources reconciles the “individual” with “family” and presents it as its vision of “the people” or el Pueblo. This negotiation is not simply a cultural product of Costa Rica’s strong democratic history, but also a response to pressures exerted from the more popular
movement towards “socialism for the 21st century,” and a reflection of broader
negotiated discourse. That is, *La Nación* and the “yes” campaign adopts the
somewhat muted tone of Margaret Thatcher who, in a 1987 interview with *Woman’s Own* magazine proclaimed, “There is no such thing as ‘society’. There are just
individuals and their families.” On the other hand, the independent discourse
sourced through ANEP’s website reflected more heavily the discourse of “socialism
for the 21st century,” yet muted the language to occupy a more palatable middle
position. The discourse critiqued CAFTA-DR by not necessarily the neoliberal
model, and in the end advocated “free trade” but through a better trade agreement.

The campaign discourse, as more heated and passionate discourse,
incorporated the discourses of neoliberalism and “socialism for the 21st century” in
more subjective ways. The “yes” campaign reflected the neoliberal discourse by
framing CAFTA-DR as progress through images of middle and upper class
individuals in consumer and professional environments. Images of *el Pueblo* were
presented, yet presented as transitional – as a society that was “advancing” towards
modernization and technology. The “no” campaign incorporated the discourse of
“socialism for the 21st century” by framing CAFTA-DR as a product of class warfare.
The discourse used images of the social movement in the street, historic portraits,
and other images of Costa Rica culture to distinguish between an authentic “us” (*el
Pueblo*) and in inauthentic “them” (the Costa Rican government, transnational
corporations).

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References


Chapter 1: An Introduction to International Political Economy: Mapping out Positions from Above, from Below, and in the Middle

This chapter will delineate the two major ideological camps, the key actors, and the key trade initiatives that form the backdrop from which the discourse of CAFTA-DR emerged and against which the debate over “free” trade was played out. I will first address the dominant paradigm of neoliberalism – spread through the process of globalization from above – that explains the United States’ vision for free trade throughout the Americas. I will then outline alternative visions for free trade and development – emerging through the process of globalization from below – and discuss how both visions are constructed through discourse in the struggle for hegemony.

Finally, I will carve out the precarious middle ground that Central America, specifically Costa Rica, has come to occupy vis-à-vis these competing forces from above and below. Essentially, Costa Rica has two competing visions, or two sets of discourse to choose from as it develops its own talk about national trade and development policies. How does Costa Rica talk about trade, and how does this talk reflect, adapt, or neglect the broader discourses from above and below? This question will begin to be answered here, and will continued to be emphasized across future chapters.

Globalization from Above – The Push Towards “Free Trade”

Also known as “neoliberal globalization,” globalization from above minimizes the role of the state in the regulation of the economy, and moves from the premise that an unrestricted free market model is best for stimulating economic growth and
allocating resources (Barkawi, 2006). By removing state oversight of the economy, neoliberalism reorients resources away from popular interests and towards capital interests through policies such as the privatization of state owned industries, the deregulation of financial, labor, and trading markets, and the devaluation of national currencies. Ideologically, neoliberalism is justified through the discourse of private enterprise and individual effort as creating an environment in which democracy and freedom lead to prosperity for all (See: Barkawi, 2006; Harvey, 2005; George, 1999). The discourse of, and ideological justification for, neoliberalism, is discussed more thoroughly later in this chapter. First, CAFTA-DR must be situated within the context of other neoliberal free trade agreements, which have served to carry the key tenets of neoliberal policy – privatization, deregulation, devaluation, and austerity – to almost every corner of the world.

According to the U.S. Trade Representative website, “U.S. trade strategy is to pursue multiple market-opening initiatives on a global, regional, and bilateral basis, establishing models of success that can be used throughout all negotiations” (http://www.ustr.gov/Trade_Agreements/Section_Index.html; retrieved 5/6/09). Including the FTAA, the site lists U.S. engagement in 6 regional, and 15 bilateral agreements around the world. Most relevant to the negotiation, ratification, and implementation of CAFTA-DR are the Caribbean Basin Initiative (CBI), the North American Free Trade Agreement (NAFTA), and negotiations for the Free Trade Area of the Americas (FTAA). By outlining the history of U.S. free trade initiatives with Latin America, the changing face of “free trade” becomes evident, which allows us to see how the U.S. uses free trade agreements to spread neoliberalism on its own
terms. For instance, while the label “free trade agreement” implies emphasis on the flow of physical goods (imports and exports) between nations, contemporary “free trade agreements” – which I distinguish as “neoliberal” free trade agreements – have come to include much more far reaching language, including provisions on investment, agriculture, services, and intellectual property rights. This allows U.S. corporations greater reach into signatory nations and in effect gives huge political power to capital in terms of shaping national policies that govern and effect local citizens. The extent to which these provisions have become commonplace, and the specific ways in which the U.S. has been able to effect legal, political and economic policies in its trade partners can be seen through the Caribbean Basin Initiative, NAFTA, and FTAA as described below.

*The Caribbean Basin Initiative (CBI)*

The Caribbean Basin Initiative is a collection of free trade legislation that began in 1983 with the Caribbean Basin Economic Recovery Act (CBERA), which extended duty free entrance to the U.S. market for a wide variety of goods grown or produced in 24 Central American and Caribbean countries. The U.S. sets the terms for eligibility for “beneficiary” status, and is thus able to dictate political, legal, and economic policy in beneficiary nations that suit its interests. For instance, to qualify for CBI preferences, countries can not be communist, can not pursue policies that impede U.S. businesses, and they can not extend preferential treatment to the products of another developed country that negatively affects trade with the United

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7 Beneficiaries of the CBI include Antigua & Barbuda, Aruba, Bahamas, Barbados, Belize, British Virgin Islands, Costa Rica, Dominica, Dominican Republic, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Montserrat, Netherlands Antilles, Nicaragua, Panama, St. Kitts-Nevis, St. Lucia, St. Vincent & the Grenadines, Trinidad & Tobago.
States (U.S. Department of Commerce, 1994). Similarly, designation as a beneficiary is contingent upon the countries’ acceptance of external economic policy, such as those established by the World Trade Organization (WTO), and requires that the country take “self-help measures” to promote its economic development. These requirements for eligibility are of particular importance to the current argument because they highlight how the terms of neoliberal free trade initiatives have, in a de facto sense, moved away from simply reducing tariff barriers and towards more far reaching legal, political, and economic policy initiatives that largely serve the interests of U.S. capital. As Wise (2007) implies, the face of free trade agreements is changing from focusing on market access for agricultural and industrial goods, to focusing on services, investment, and intellectual property rights. Evidence of this “new face” can be seen through the evolution of CBERA as outlined below, and the new initiatives included in NAFTA (and subsequently CAFTA), which will be discussed in the next section.

In 1990, the original CBERA was “extended” to include duty free treatment for products not included in the original legislation, yet at the same time made more explicit the “wholly produced” stipulation – that goods needed to be produced from inputs from CBI beneficiaries or the U.S. only, and that the product had to have received a certain level of processing to qualify. American reach into the beneficiaries’ sovereignty was also extended, as beneficiaries were now required to grant U.S. Customs and the Immigration and Nationalization Service (INS) search, seizure, and arrest authority within their countries. This gives unprecedented jurisdiction to U.S. government agencies which seemingly should be bounded by U.S.
borders, and is one more strong example of how far reaching, and how useful a tool, free trade agreements have become in terms of extending U.S. power abroad.

The most significant expansion of the CBI came in 2000, with the Caribbean Basin Trade Partnership Act (CBTPA). The CBTPA offers “NAFTA Parity” for certain products not currently eligible for duty free entrance under CBERA, which means that products originating from CBI countries would be given the same preferences as products originating in Mexico. “NAFTA Parity,” however, required beneficiaries to satisfy two key demands of the United States. First, in order for products to qualify for duty free entry, they were required to be manufactured from U.S. inputs, in effect forcing the Caribbean producers to source from U.S. suppliers (Girvan, 2002). Second, “NAFTA parity” would be offered only if beneficiaries commit to negotiating and working towards the Free Trade Area of the Americas (FTAA) or some other multilateral free trade agreement, such as CAFTA-DR. To this end, the CBTPA carried with it an expiration date of whichever comes first – September 30, 2008, or the implementation date of the FTAA or a similarly binding free trade agreement. By using CBTPA benefits as a carrot to lure beneficiary countries to the bargaining table on the FTAA, and limiting the duration of CBTPA benefits, the U.S. is able to exploit power asymmetries and dictate the terms of trade. In the end, the U.S. extended CBI until 2010, allowing those Caribbean nations who do not have a bilateral, binding free trade agreement with the U.S. to continue to both receive preferential access to the U.S. market, and give preferential access to the U.S. in
terms of influence on their national political, economic and legal policies. Either way you slice it, through the CBI or more binding free trade agreements (like CAFTA-DR), the U.S. is able to “have its cake and eat it too” in terms of making beneficiaries and signatories subservient to U.S. capital and dependent on the U.S. market. The privilege given to U.S. capital can be seen, specifically, in the sections on national treatment and non-discrimination included in CAFTA-DR, which will be discussed more fully in a following section. First, it is important to highlight how the U.S. continued to express neoliberalism on its own terms through the North American Free Trade Agreement, which served largely as the mold from which CAFTA-DR, and other free trade agreements, would ultimately be cast.

*The North American Free Trade Agreement (NAFTA)*

In 1994, the Canada United States Trade Agreement (1989) was extended to include Mexico, giving birth to the North American Free Trade Agreement (NAFTA). To this day, NAFTA remains the most monumental trade agreement in U.S. history. It was the first major free trade agreement between two developed and a developing nation, a practice that quickly became the norm. NAFTA was certainly the most ambitious FTA at the time, aiming to abolish all tariffs between the U.S. & Canada by 1998, and between the U.S. & Mexico by 2008. NAFTA, however, was about much more than just free trade, which, as stated earlier, is a growing trend in purported “free trade” agreements. Popular discourse, however, still coalesces

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8 Information about the extension of CBI was difficult to ascertain. Clear statements about the extension can be found through the official website of the Guyanese government, Office of the President, in a briefing dated June 26, 2008. The briefing was accessed on May 6, 2009 via: http://opnew.op.gov.gy/index.php?option=com_content&view=article&id=53:caribbean-basin-trade-partnership-act-extended
around the term “free trade,” highlighting those aspects of the agreements. NAFTA was perhaps the first FTA, which in addition to the trade provisions, emphasized investments. As a result, the agreement quickly became known as more of an investment agreement than a trade agreement (Pastor, 1999).

Under the notorious Chapter 11 on investment, national governments are in effect “hog-tied” in their ability to reign in, or regulate business practices within its borders. “NAFTA ensures that investment will not be coerced by restrictive government policies,” thus limiting a government’s ability to protect the interests of its people through restrictions that are deemed negative to capital. As a result, NAFTA forbids national governments from: (1) limiting exports to a given level/percentage of goods or services; (2) requiring companies to use domestic goods or services; (3) forcing the transfer technology to competitors (4) limiting imports to a certain percentage of exports; or (5) limiting the amount of profits/capital that are repatriated out of the country (Office of NAFTA and Inter-American Affairs, nd).

The Chapter was largely sold as providing “equal treatment” of foreign and national investors, yet critics assert that NAFTA actually provides foreign investors with better treatment than domestic investors. For instance, through Chapter 11, the definition of expropriation has been successfully broadened from the specific government activity of seizing private property for public use, to include any governmental policy a corporation perceives as infringing on its ability to operate profitably in the market (Anderson, Cavanaugh & Lee, 2005). Chapter 11 gives foreign corporations the right to sue national governments when policies – such as
minimum wage, environmental, and consumer protection legislation – are deemed detrimental to the bottom line. Given the asymmetries between the more northern signatories and Mexico, Chapter 11 largely amounts to a “carte blanche” for American corporations, with Canadian corporations along for the ride as well. According to the watchdog group Public Citizen, 42 cases had been filed under Chapter 11 as of February 2005, seeking $28 billion in damages. Of these cases, 26 were initiated by U.S. interests: 8 versus the Canadian government, and 18 versus the Mexican government. Conversely, Canadian interests filed 15 cases (14 versus the U.S. and 1 versus Mexico) and Mexican interests filed just 1 case, against the Canadian government (http://www.citizen.org/documents/Ch11cases_chart.pdf). This illustrates how U.S. trade policy opens the door for U.S. and northern capital to exert control of foreign, less powerful, governments. Chapter 11 has been widely unpopular, and has inspired criticism even from an unlikely source such as Business Week, which referred to the tribunal process as “highly secretive” (Business Week, 2002).

*Business Week*’s criticism reflects the reality of NAFTA in which even proponents of neoliberal free trade are forced to admit that the agreement failed to live up to expectations. While the level of Mexican exports to the United States exploded as a result of NAFTA, that explosion was not paralleled by a corresponding improvement in quality of life for Mexicans as a whole (Palma, 2005). In short, the “economic convergence” that was expected to occur failed to materialize and

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9 Public Citizen is a non-profit consumer advocacy group that fights for “openness and democratic accountability in government” (http://www.citizen.org/about/). A complete listing and status of Chapter 11 cases was reviewed on May 6, 2009, and can be accessed via http://www.citizen.org/documents/Ch11cases_chart.pdf
Mexican society continues to suffer an income and development gap that mimics the north/south and rural/urban divides prominent in many developing countries (The Economist, 2008, April 24). While NAFTA succeeded in increasing the overall volume of trade and investment between the United States and Mexico, even neoliberal institutions like the World Bank have found that trade openness does not correlate to a better life for much of the population, especially the poor living in rural areas (Henriques & Patel, 2004).

By several accounts, enhanced export competitiveness did not translate into better wages for most Mexicans – since the implementation of NAFTA in 1994, Mexican wages have declined 23% (Wise, 2003). Poverty estimates, on the other hand, may vary by source, but tend to report similarly negative trends. According to Cevallos (2005), for instance, the richest 10% of Mexicans earn 25 times more than the poorest 10% of Mexicans. Public Citizen, while in general agreement, cites sources that claim the gap is much wider – with the rich earning 45 times more than the poor.10 Even the more right leaning Washington Post reported that official Mexican government statistics indicate, “that more than 40 percent of Mexicans in rural areas earn less than $1.40 a day” (Jordan & Sullivan, 2003, March 22). To further substantiate these claims that life for poor Mexicans worsened as a result of NAFTA, Mexico’s 2005 Gini Coefficient, reported by the CIA World Factbook, came in at 50.9, suggesting a relatively high level of income inequality.11

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10 [http://publiccitizen.org/documents/ImpactsonMexicoMemoOnePager.pdf](http://publiccitizen.org/documents/ImpactsonMexicoMemoOnePager.pdf)
11 The Gini Coefficient is a method for analyzing the equality of income or wealth distribution in a nation. The higher the Gini score, the higher the inequality; the lower the Gini score, the more equal the distribution of income. The CIA World Factbook suggests that a score of 25 would be considered relatively equal distribution, while a score of 50 or higher would be considered relatively unequal
(2005) admits that a history of income inequality persisted in Mexico before NAFTA, his analysis also notes larger Gini coefficients, and therefore larger gaps between rich and poor, during the so-called success years of NAFTA, 1996 through 1998.

In addition to debating whether NAFTA was a success or failure, academics and economists have debated the bases on which success and/or failure can be judged. In the previous paragraph, traditional macro-economic indicators like wages, employment and poverty have been reported as an indicator of the effect of NAFTA on Mexico’s economy and quality of life. Others argue, however, that these traditional indicators are not sufficient means through which to judge the performance of a free trade agreement. Salvatore (2007) reports on a growing body of literature that suggests that measuring the effects of FTA’s based on employment figures (jobs gained or lost) and trade statistics (prior trade volume vs. trade volume with the FTA) is an inappropriate method. The appropriate measure, as outlined by Salvatore, is the “increased efficiency and productivity resulting from specialization in production, trade, investments and competition” (2007, p. 2). This, Salvatore contends, will “certainly affect wages, employment, and growth” (2007, p. 2).

Even by judging NAFTA’s effects on the terms set by the “pro” NAFTA academics, NAFTA was a failure for Mexico. Wages, as reported earlier, have plummeted as a result of NAFTA (See: Wise, 2003). Employment in lower wage paying foreign owned, export-only producing factories (“maquiladoras”) increased over the first six years of NAFTA, but these jobs have been steadily disappearing in distribution. Retrieved on May 7, 2009 via: https://www.cia.gov/library/publications/the-worldfactbook/docs/notesanddefs.html#2172.
the new millennium as China rose to eminence as the world’s low cost producer (Public Citizen, nd-a). Perhaps most starkly, however, is that the increased “efficiency and productivity” purportedly brought to Mexico through NAFTA, never actually arrived. The three poorest states of the nation – Chiapas, Guerrero, and Oaxaca – where 10.6% of the Mexican population lives, saw their share of the nation’s GDP drop by 7.3% and their share of national manufacturing output drop by 17.2% over the first five years of NAFTA (Schott, 2004). According to these figures, NAFTA rendered a large portion of the Mexican workforce less productive.

As Mexican workers and farmers were pushed out of work and out of business, U.S. corporations were not only able to thrive, but also to consolidate their control of the production of corn, chicken, beef, and other agricultural goods (Public Citizen, nd-b). Specifically, Cargill’s net earnings more than doubled between 1999 and 2003 (from $581 million to $1.29 billion), ConAgra’s net income increased by 77% between 2000 and 2003 (from $437 million to $774 million), and ADM posted strong net earnings of $511.1 million in 2003 (Public Citizen, nd-b). At the same time, however, according to Business Week Online, small Mexican farmers were left without a share of the prosperity (Smith, 2008). NAFTA created a new world of trade agreements through which the rights of American corporations were made inalienable, and regardless of the impact on human rights, the neoliberal free trade model continued to be pushed by the United States. This push continued with the Free Trade Area of the Americas, which sought to extend privileges to American corporations throughout the entire Western Hemisphere.
The Free Trade Area of the Americas (FTAA)

Announced at the 1994 Summit of the Americas, the Free Trade Area of the Americas is the most grandiose vision of any free trade agreement in U.S. history. The FTAA aimed to extend NAFTA through Central America, the Caribbean, and South America (excluding only Cuba) to create a market of nearly 800 million consumers in 34 countries, with a combined GDP of nearly $13 trillion (USTR, 2003). The FTAA would have created the largest free market in the world and, as such, American based transnational corporations (TNCs) were among the primary proponents of the agreement. These TNCs had good reason for supporting the FTAA, which was modeled after NAFTA and thus went far beyond WTO deregulations to provide more favorable provisions to corporate interests in areas such as investments, intellectual property, services, and agriculture (Multinational Monitor, 2001).

For instance, the language of the FTAA sought to expand the definition of “investment” – which had typically meant stocks, bonds, and national industries – to refer to anything that could be given a monetary value – such as national forests, water supplies, oil reserves, etc... (Prevost & Ocampo, 2002). This change in the terminology meant that nothing was not “for sale” to transnational capital – an impact illustrated through the various struggles against privatization of national

[12] The 34 countries included in the Free Trade Area of the Americas are: Antigua & Barbuda, Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts & Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad & Tobago, United States, Uruguay, and Venezuela. (http://www.ftaa-alca.org/busfac/clist_e.asp)
water supplies, most notably in Cochabamba, Bolivia. Similarly, the FTAA called for removal of local content laws, which on the one hand can force businesses to use to certain percentages of local resources (raw materials and labor) in the production of its products; and on the other hand could prohibit foreign businesses from owning more than a certain percent share of a local concern. This deregulation, along with mandates of national treatment and non-discrimination, erases the differences between foreign & local businesses by guaranteeing equal treatment and forbidding local governments from enacting policies that favor locally produced goods and services.

In terms of intellectual property, the largest advantage would have been delivered “most particularly [to] the 13 giant drug transnationals that control 80 percent of the patents, as well as the 5 agrochemical corporations that control the global seed market” (Cositore, 2006, ¶5). This would have further consolidated the power of capital interests to control “essential services” such as healthcare and agriculture that directly contribute to the well-being of the people. Similarly, it would have transformed citizens into consumers, forced to buy back at high prices natural products that were once used for free or at low cost but that are now marketed by the transnationals which are given legal rights to local resources through the patent system that is tilted in their favor (Cositore, 2006).

13 In April 2000 protesters in Cochabamba, Bolivia closed down the city for four days, going on strike and setting up roadblocks to protest the privatisation of the local water utility. Through a coordination of local residents and civil society organizations, the movement was successful in getting the privatization. See: Chávez, 2006, retrieved on May 7, 2009 via: http://ipsnews.net/news.asp?idnews=35418.
Despite support from TNCs, a strong push by the United States, de facto support from international bodies such as the WTO, IMF, and World Bank, and early support of all 34 “member” nations to an ambitious “all-or-nothing package” that would provide one set of rules for all signatories (Goldfarb, 2004), the FTAA was doomed to revision, and ultimate failure. At the 2003 ministerial meeting in Miami, President Lula of Brazil was able to push through an FTAA model that better recognized and served the needs of developing nations. While the so-called “FTAA lite” broke the hegemony of U.S. style agreements by allowing for member nations to “opt in” or “opt out” of certain aspects of the agreement, the extent to which it broke the neoliberal model of free trade is debatable. The FTAA-lite is discussed more fully in a subsequent section, which addresses the question of Lula as an agent of change, and a force behind the growing movement for a “globalization from below” – that was emerging on two fronts “from above” and “from below.”

The dream of the FTAA was fully extinguished at the fourth Summit of the Americas in 2005 when the four full members of MERCOSUR (Argentina, Brazil, Paraguay, & Uruguay), plus the then-autonomous Venezuela, voted against moving forward with FTAA negotiations (Council on Hemispheric Affairs, 2006). To this date, the derailment of the FTAA negotiations remains one of the most notable accomplishments of the movement against neoliberal free trade. The success of Lula’s “FTAA-lite” at the 2003 Ministerial led the United States to seek neoliberal trade initiatives on a smaller scale, such as CAFTA-DR & other bilateral agreements; and the more general failure of the FTAA led to the enhanced visibility of alternatives to the neoliberal trade model, such as Mercosur and ALBA. The
ideology of both aspects of the movement (the popular and the bureaucratic) and
the alternatives to neoliberalism it provides are described in the section that
follows.

**The Struggle for Alternatives to Neoliberalism – Globalization from Below**

By definition, hegemony is never complete, and there is a constant struggle to
impose one viewpoint and vision as dominant or hegemonic. As such, forces from
below have a long history of challenging globalization from above, albeit to varying
degrees of notoriety and success. For instance, while the world’s poorest countries
formed the G77 in the 1970’s to advocate for a New World International Economic
Order, the richest Northern countries withdrew from the talks in the 1980’s,
choosing instead to champion neoliberalism – a policy option which would not only
become hegemonic in its own right, but lock in much of the inequality the G77
hoped to eradicate through North/South dialogue (Brecher, Costello & Smith, 2000).
It was in this spirit of Northern dominance that the aforementioned “globalization
from above,” was able to push through free trade vehicles such as the Caribbean
Basin Initiative and NAFTA. Neoliberalism may have ruled the 1980’s and much of
the 1990’s, but the realities of such policies were beginning to cause serious cracks
in the system, which first inspired a resistance from below in terms of popular
movements against the agents of neoliberalism – the IMF, WTO, World Bank, along
with the national governments which imposed neoliberal policies. The resistance
soon formalized, creating a resistance from above, as political figures sympathetic to
the movement from below were elected into office. This section chronicles
neoliberalism’s fall from grace, and the process through which resistance from
below and above broke open spaces for alternatives to the neoliberal model to emerge.

*The Fall of Neoliberalism and the Rise of Resistance from Below*

Neoliberalism debuted as a policy initiative in the 1970’s, put in place in Chile and Argentina through the force of U.S. backed coups in those nations (Harvey, 2005). The model became truly entrenched in these nations, and elsewhere, as the “Chicago Boys” – nationals who were schooled in the ultra-free market neoliberal model exposed by Milton Friedman at the University of Chicago – took up key posts in government (Cypher, 2004; Lilley, 2006). Neoliberalism made its way to Mexico in the early 1980’s during the presidency of Miguel de la Madrid, who instituted austerity programs, such as devaluing the peso, and privatized several state owned enterprises to appeal to foreign capital (Kelly, 2005). Initial neoliberal efforts of privatization of state enterprises, wage and price restraints, and the lowering of import restrictions were successful in reigning in inflation (from almost 160% in 1987 to just about 7% in 1994) and providing some short-term economic growth. Other neoliberal initiatives, however, such as deregulating investment, yielded negative outcomes that culminated with the peso crisis of 1994 (Pastor, 1999).

By following the neoliberal model that called for privileges to transnational corporations already mentioned, such as national treatment, non-discrimination, and the removal of investment and profit repatriation controls, Mexico was able to draw in foreign capital. The foreign capital, however, was concentrated in highly mobile portfolio investments, which provided little investment into the productive sector of the Mexican economy. In fact, in 1993, 86.8% of total foreign investment in
Mexico was portfolio investment (Pastor, 1999). Portfolio investment allows capital to benefit and accrue, while leaving little benefit to the foreign economy that has housed it. The “mobile” nature of portfolio investment made it easy for investors to remove their capital from Mexico when the Peso was aggressively devalued in December 1994 – a situation that would replay itself in Argentina in late 2001/early 2002.

In Mexico, the negative effects of the devaluation were amplified by the subsequent Chiapas uprising, the assassination of a presidential candidate, and the general uncertainty that gripped Mexico’s future (Pastor, 1999). In short, Mexico fell into near chaos. It is interesting to note that one defining factor of the “new look” or “neoliberal free trade agreements,” as previously discussed, is mandating the deregulation of capital controls, which have been used by governments to limit speculative trading in terms of currency, stock options and commodity futures (Prevost & Weber, 2002). Thus, neoliberal policy took away any safety nets that could have shielded everyday Mexicans from the ensuing devastation.

The next significant crack in the neoliberal system came in 1997, when the “Asian miracle” markets of South Korea, Thailand, and Indonesia collapsed, spreading economic woe across Asia, and into the United States and Europe. Despite efforts to shift the blame for the deepening crisis to the implementers of the policy through claims of “crony capitalism,” the neoliberal policy dictates of the IMF (privatization, deregulation, and devaluation) could not be vindicated – a point driven home by Korean protesters who, in mid-1997, coined the now famous slogan: “IMF = I Am Fired” (Crotty & Dymski, 1998). Popular movements
throughout the 1990's and into the 21st century echo this anti-IMF sentiment. The neoliberal juggernaut was finally showing the strains of economic reality and resistance from below began fomenting in the South, yet went virtually unnotice in the North.

In 1999 the anti-capitalism and anti-globalization struggle that had been strongly rooted around the world was planted in U.S. soil, and into the consciousness of North Americans, through an impressive show of resistance in Seattle. Dubbed the “Battle of Seattle,” the WTO Ministerial was met by tens of thousands of protesters whose at times violent and disruptive tactics could no longer be ignored by the global media. As will be discussed later, the media did a poor job of illuminating the socio-political issues of the movement but it did serve to make visible growing dissent that had previously been invisible to most North Americans. The mainstream media spotlight, largely dominated by big U.S. corporations, remains focused on Northern resistance from below that arrives in town lockstep with the envoys of globalization from above (the WTO, WEF, and G7), even though Southern resistance has a much richer history and has perhaps won more tangible victories against the agents of neoliberalism.

Since 1985, for instance, the Landless Worker's Movement in Brazil (Movimento dos Trabalhadores Rurais Sem Terra) has won land titles for more than 350,000 families in its struggle for land reform (http://www.mstbrazil.org). The Sem Terra movement continues its resistance, even against the administration of President Lula, the seemingly “leftist” president who took power in 2003 under a populist platform, but whose authenticity as a true agent of change from below is
questioned – a point that is addressed more fully in Footnote 22. For instance, during its 5th Congress in June of 2007, Sem Terra reoriented its priorities to focus its struggle against multinational agribusinesses, which, as is typical of neoliberalism, have come to dominate Brazilian production as a result of Lula’s not so popular policies (Zibechi, 2007). Similar popular movements can be seen throughout the global South.

In 2000, through four days of sustained protests – referred to as the “water wars” – workers in Cochabamba, Bolivia were successful in forcing the government to roll back the 1999 privatization of the state owned water utility (Lewis, 2002). In that same year, three weeks of “crippling nationwide protests” forced Costa Rican President Miguel Rodriguez to withdraw from congress legislation that would privatize the state’s electricity and telecommunication concern, Instituto Costarricense de Electricidad (ICE) (Alphandary, 2000). In its States of Unrest III report, the World Development Movement (2003) reports that 25 countries in the global south hosted anti-IMF/World Bank protests in 2002. More specifically, in 2002 resistance movements from below were successful in forcing the governments of both Paraguay and Peru to withdraw from IMF imposed privatizations of telecommunication and electric concerns respectively (Lewis, 2002). Similarly, popular movements against neoliberal policies toppled neoliberal administrations

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14 A brief outline of Sem Terra actions was retrieved on May 7, 2009 via: [http://www.mstbrazil.org/?q=node/162](http://www.mstbrazil.org/?q=node/162).

15 In 2002, anti-IMF/World Bank protests were held in Honduras, Nicaragua, Colombia, Ecuador, Peru, Paraguay, Uruguay, Argentina, South Africa, Angola, Nigeria, Benin, Niger, Morocco, Lebanon, Turkey, Pakistan, Kenya, Zambia, India, Bangladesh, Thailand, Indonesia, Philippines, and South Korea ([http://www.wdm.org.uk/resources/reports/debt/statesofunrest319042003.pdf](http://www.wdm.org.uk/resources/reports/debt/statesofunrest319042003.pdf)).
in Ecuador in 2000, and in both Argentina and Bolivia in 2001. Bolivia also saw neoliberal governments fall yet again in 2003 and 2005.16

Thus, the spirit of resistance from below has been longstanding, so longstanding that in 2001 the World Social Forum (WSF) was created as an open space where groups and movements could come together in solidarity against neoliberalism and the “domination of the world by capital” (World Social Forum, 2002). Sometimes referred to as “a movement of movements” (Mertes, 2004; Albert, 2002) the WSF operates in a decentralized fashion, in an attempt to integrate, and open up spaces for the most excluded and unorganized, in an effort to bring truth to its founding claim that “another world is possible” (Bendaña, 2006). The creation of the WSF was seen, by many, as a way to legitimize the actions of anti-neoliberalism protesters around the world, and crystallize direct action into viable alternatives to the neoliberal system. According to longtime activist and participant in the first WSF forum, Naomi Klein:

> After a year and a half of protests against the World Trade Organization, the World Bank and the International Monetary Fund, the World Social Forum was billed as an opportunity for this emerging movement to stop screaming about what it is against and start articulating what it is for (Klein, 2001).

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16 In 2000, rural and urban workers toppled the neoliberal regime of President Jamil Mahuad in Ecuador; in 2001, after sustained protests related to the Cochabamba water wars, President Hugo Banzer was forced to resign the Bolivian presidency (Lewis, 2002). In 2003, mass protest against Bolivian government plans to export natural gas to the U.S. and enrich a transnational consortium forced President Sánchez de Lozada to flee the country (Kumar, 2008; Rénique, 2006). In 2005, a collection of indigenous groups – Movement Toward Socialism (MAS), the Pachakutik Indigenous Movement (MIP), the Federation of Neighborhood Associations of El Alto (FEJUVE) and the Confederation of Bolivian Campesino Workers (CSUTCB) – paralyzed the country for several days with demonstrations, marches, roadblocks and occupations of oil and gas fields in protest of Congress’ passing of a “watered down” law that barely increased taxes on corporations that exploited national oil and gas reserves, despite the victory of a referendum in which the majority voted for greater state control of the industry (Rénique, 2006). As a result, President Carlos Mesa resigned in June 2005.
Through the WSF, the movement against neoliberalism was struggling for solidarity, decentralization, and direct participation. The discourse of the WSF, and how the movement against neoliberalism justified its position, will be explored more fully later in this chapter.

2001 marked a year of change for the movement against neoliberal globalization. In addition to the birth of the WSF, the meltdown of the Argentine economy later that year created conditions under which the movement would qualitatively change. The Argentine crisis of 2001 deserves extra attention here as it: (a) clearly illustrates the reality that neoliberal policies may provide short term relief that favors capital (as seen in Mexico in the early 1990’s right before the Peso collapse in 1994) at the expense of longer term popular suffering as a result of unemployment and poverty; and (b) ushered in two new forms of resistance – one from below, through the movement of Trabajadores Sin Patron, or the Recuperated Factory Movement; and one from above, through which grassroots efforts were pulled from the civic level, to more formal, bureaucratic levels of government. The following section presents the case of Argentina. After outlining the neoliberal policies, followed by their effects, I will then discuss the Argentinian worker movement as it not only reflects, but also extends, the more traditional vision of “globalization from below” presented in this section. I will then introduce the force of resistance from above, which crystallized as anti-neoliberal regimes were voted into power in not only Argentina, but also across South America.
The Case of Argentina – Aligning Resistance from Below & Above

In 1989, with the country still divided after its transition from military dictatorship (back) to democracy in 1983, Carlos Menem was elected to his first of consecutive terms as President of Argentina. While he brought with him populist promises as part of his Peronist roots, the real Menem emerged upon inauguration, bringing a swift wave of free market, neoliberal reforms that would indelibly shape Argentina both socially and economically. The military dictatorship that terrorized Argentina from 1976 through 1983 may have put the neoliberal model in place, but Menem “openly and wholeheartedly embraced and promoted neoliberal policies as the way to stabilize the nation’s economy” (Faulk, 2008, p.587).

Shortly after winning the presidency, Menem began “putting state companies and oil rights on the auction block by the dozens” (Christian, 1990). According to Deloitte (2005), Menem’s government was successful in selling off over 250 “entities and oil areas” – a process which allowed 56% of government jobs to be slashed during Menem’s regime. Another key neoliberal reform initiated by Menem included the “Convertibility Plan,” whereby the value of the Argentinian Peso was “pegged” to the U.S. Dollar so that 1 Peso would always be equal to 1US$. Menem also oversaw more general economic deregulation, in terms of removing any controls over prices, wages, foreign capital, and foreign trade (Deloitte, 2005). On the whole, Menem followed the neoliberal playbook with precision, creating a

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17 A history of the dictatorship and an account of its atrocities can be found in Trigona (2006), which I accessed on October 17, 2008 via: http://pcasc.net/news/newswire/erasing-traces-of-argentina2019s-dictatorship-30-years-later to provide background information for this chapter.
18 According to Deloitte, in 1990 state agents were 590,000 and in 1999 the estimate was 260,000. Deloitte’s full report on President Menem’s Government was accessed on October 17, 2008 via http://www.deloitte.com/dtt/cda/doc/content/menem_ing_10-2005.pdf.
system in Argentina referred to simply as, “el modelo” (Lewis & Klein, 2004), which some see as bringing stability to the nation, while others see as bringing the economic crisis of the early 21st century.

On the one hand, Menem’s neoliberal policies broke the hold hyperinflation had on the economy. In 1989 the annual inflation rate stood at 3,731%, by 1991 it was down to 84%, and by the time Menem left office in 1999, inflation was largely under control at 1.1% (Vann, 1999). On the other hand, Menem’s policies traded hyperinflation for hyper-unemployment. While estimates vary, even by conservative, government accounts, unemployment at the very least doubled during Menem’s tenure, with rates around 7% in 1990 and around 14% in 1999 (Pou, 2000). For better or worse, Menem’s policies gained the approval of the IMF, which “rewarded” his administration with a series of loans when economic difficulties began to appear in 1998, and continued to disperse loans to support the policies of the subsequent de la Rúa regime.19 These loans, provided to bolster the Argentinian Peso and maintain convertibility, only served to further increase both Argentina’s indebtedness and the IMF’s reach into Argentinian economic policy. The loans brought with them mandates for “zero deficits,” which meant further cuts to already austere budgets and further pain for a people who had already lost their jobs and their livelihood (Weisbrot, 2002).

The economic situation was becoming untenable, and fears that the Peso would be devalued intensified, resulting in a run on Argentinian banks. By

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19 In 1998, the IMF provided a $3 billion loan; at the end of 2000, the IMF directly loaned $13.7 billion to Argentina, while arranging $26 billion more for other sources; and as the situation in Argentina was reaching its boiling point, a final $8 billion loan was issued in 2001. (MacEwan, 2002)
November 27, 2001 “at least $2.5bn was withdrawn by savers... with daily withdrawals peaking at $800m” (BBC News, 2001, November 30). On December 1, 2001 the government placed deposit restrictions to keep banks afloat – Argentinians were limited to withdrawals of no more than $250 per week from their accounts (Lewis, 2002). At the same time everyday Argentinians were essentially locked out of their accounts and life savings, the Argentinian government allowed $40 billion in cash from elite account holders to be scuttled out of the country – literally, in the middle of the night (Lewis & Klein, 2004). In mid-December 2001, salaries of public employees were cut by 20% and pension payments were reduced, further contributing to the devastation.

Life in Argentina had become virtually unlivable for most Argentinians, whose frustration was expressed through both highly coordinated resistance against the government, and spontaneous revolt. On December 12, 2001 – the evening before the planned national strike on December 13 that had been called, in concert, by the General Workers Confederation (CGT) and the Argentine Workers Central (CTA) – hundreds of thousands of women in Buenos Aires took to the streets and balconies banging empty pots in protest. As a show of solidarity, neighboring inhabitants, small businesses, and even the “swanky” Buenos Aires theatre district, shut off their lights in unison, to join the protest (Azul, 2001, December 18).

The revolt of December 19, 2001 was more spontaneous (Lewis, 2002), as Argentinians poured into the streets in response to de la Rua’s declaration of a 30-day state of siege, his last ditch effort to regain control of the country. The announcement, however, had the opposite result. Shouting “¡Que se Vayan Todos!”
– they all must go – Argentinians were in effect rejecting the entire model they had been subjected to over the last decade (Lewis & Klein, 2004). On December 20, 2001 – as a result of the direct action of Argentinians who made it impossible for him to manage the country – de la Rua resigned the presidency and fled the nation. Over the course of the next 2 weeks, Argentina saw 4 different men occupy the Presidency, with the last – Eduardo Duhalde – actually serving out the full term for which de la Rua was originally elected.20

By the time he was sworn in on January 2, 2002, Duhalde was at the mast of a nation that owed $141bn it could not repay. On January 7, 2002 Duhalde announced the formal devaluation of the Peso by 30%, breaking the 1 Peso per 1 USD peg (Azul & Vann, 2002). Around the same time Argentina was literally collapsing, the IMF was turning its back on its star pupil – suggesting that the crisis was the result of “structural problems, such as inefficient tax collections and rigid labor laws” and refusing to provide additional funding until those problems have been addressed (Azul, 2001, December 18). This point was more forcibly driven home by Horst Koehler, Managing Director of the IMF, who, the day after the devaluation of the Peso, absolved the IMF of any role in the creation (or solution) of Argentina’s economic crisis: “[O]ne also must recognise that without pain, it won’t get out of this crisis, and the crisis – at its root – is home-made” (BBC News, 2002, January 8). Argentina was, in effect, on its own in cleaning up the mess that the IMF, in partnership with the United States, helped make of its country. With

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20 In order of succession, Adolfo Rodriguez Saa held the presidency for 10 days after de la Rua’s resignation, followed by Ramon Puerta (who resigned after a few minutes), and Eduardo Camano, who held the post for 3 days before leaving the post, and opening it for Duhalde. (Online NewsHour, 2002)
unemployment soaring, factory closures multiplying, and little relief coming from the discredited bureaucracy of the government, Argentinian workers began to take matters into their own hands – reclaiming factories in the name of the workers and producing on their own terms.

_Trabajadores Sin Patron – The Recuperated Factory Movement_

While the process of worker recuperation in Argentina began in the mid-1990’s, two-thirds of the enterprises were taken over during the height of the economic collapse in 2001-2002, which suggests close ties between the resistance movement of the economic crisis and the factory takeovers (Zibechi, 2006).

Operating under the slogan - ¡ocupar, resistir, producir! (occupy, resist, produce) – the movement has engaged over 200 failing businesses and provides employment for over 15,000 people (Lewis & Klein, 2004; Huff-Hanon, 2004). What is different about this movement from worker occupations in Argentina in the past is that the desired goal is not simply to place pressures on employers to improve conditions for workers, but rather to subvert the owner controlled system of capitalist production completely (Falk, 2008). That is, the movement sees worker run factories as a permanent end in itself, one that will not only better physical conditions, but also a more egalitarian and ethical relationship between the workers, their productive capabilities, and how goods are produced and marketed (Zibechi, 2006). Crucial to the success of the movement was the partnership that was forged between the occupying workers and the neighboring community (Lewis & Klein, 2004; Huff-

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21 According to Falk (2008), occupations as a defensive measure to apply pressure on owners have a history in Argentina. In 1959 a meatpacking plant was occupied after it had been privatized and, in 1985 a Ford plant was occupied by workers facing imminent personnel reductions.
Hanon, 2004; Trigona, 2004; Zibechi 2006 & 2006b; Falk, 2008). This “solidarity” will be addressed further in an upcoming section as it underpins the rhetoric of the movement against neoliberalism, and serves as both a rallying point, and justification for the movements’ position.

Perhaps somewhat surprisingly, a movement that clearly delegitimized existing systems of capital and management, and along the way discredited government policy – in many ways relied on the government to legitimize it. That is, to distinguish their actions as “expropriation” rather than “stealing” the worker’s cooperatives sought routes to legal ownership of recuperated businesses, which necessarily ran through formal Argentinian government channels. According to Trigona (2004), “After the crisis of December 19 and 20, 2001, the Argentine government gave many workers occupying businesses temporary permits to function inside offices and factories.” While not quite solidarity, the process revealed unique links between popular movements resisting from below and more formal networks within government that could play a role in solidifying this resistance through some kind of resistance from above. The following section discusses the emergence of resistance from above and both the victories and challenges this created for the movement against neoliberalism.

*Resistance from Above – Shifting the Balance of Power?*

In the cracking neoliberal system of the 1990’s, Argentina was the proverbial first domino to fall in South America, setting off a chain reaction that quickly infected neighboring Uruguay, Paraguay, Peru and Brazil with not only similar economic symptoms, but also similar popular symptoms, as the dispossessed and
downtrodden took to the streets to demand better conditions. Dissent in the streets translated into change through the polls as the disillusioned in Argentina, Bolivia, Brazil, Chile, Ecuador, Nicaragua, Uruguay, Venezuela, and now El Salvador cast their ballots for candidates who denounced neoliberalism (Weisbrot, 2006; The Economist, 2009, March 19). This ushered in a new era of “resistance from above” that could challenge the dominance of the neoliberal model at the same levels of government from which it traditionally was generated and consolidated.

In Argentina specifically, Néstor Kirchner was elected President in 2003 and took a tough line with the IMF that won him strong popular support. Even though Kirchner is still considered fiscally conservative in terms of currency, he stood up to the IMF, and retired Argentina’s debt completely (through a “loan” from compatriot Hugo Chavez) so that his nation would never again have to answer to the IMF. Kirchner is just one example of the “new left” in Latin America that is being challenged by the force of social movement to itself challenge the longstanding dominance of neoliberalism both in the region and in the world.

Of the newly elected left, Lula (Brazil) seems to be one of the most successful agents of change, especially in terms of connecting the Latin American struggle with the larger struggle of developing nations. As noted earlier, he played an instrumental role of organizing the G22 movement that collapsed the Doha Round of

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22 The authenticity of Lula as an agent of change for the “left” is contested terrain. Petras (2003) and Sampson (2003) specifically argue that Lula is not as different from the neoliberals he contends to oppose. These authors suggest that Lula is too closely aligned with the Brazilian agro-elite to be a true alternative to neoliberalism. Lewis (2005) provides a similar critique, suggesting that Hugo Chavez offers perhaps the only true alternative to the American led model of neoliberal globalization. The roles of Lula and Chavez are being included here simply to provide a context within which the resistance to CAFTA-DR is expressed. A more thorough discussion of the ideological value of the Latin American Left (including Lula and Chavez) will be addressed in the dissertation if necessary.
WTO negotiations in Cancun in 2003. Under the leadership of Brazil, China, India, and South Africa, twenty-two developing countries banded together to protest the hypocrisy with which the powerful “triad” (the United States, Europe, and Japan) engineers global trade policy. The group contended that lesser developed countries were held to higher standards in terms of maintaining free markets, while the European Union and the United States continue to provide high levels of agricultural subsidies to their farmers (Capdevila. 2003).

Lula has also been hard at work with the other leaders of MERCOSUR, to offer his vision of “Mercoamerica” as an alternative vision of the FTAA. Phase one of this plan occurred at the FTAA Ministerial meeting in Miami in 2003. There, Lula was successful in forcing a compromise, or “FTAA-lite,” which patently reversed the United States’ trademark all-or-nothing approach to trade negotiations by allowing for countries to essentially opt in or opt out of certain aspects of the agreement (Sampson, 2003; Wainwright & Ortiz, 2006). Two years later, MERCOSUR ended the dream of the FTAA, as the four MERCOSUR full members (Argentina, Brazil, Paraguay, and Uruguay) plus the then-autonomous Venezuela, voted against moving forward with FTAA negotiations at the Organization of American States (OAS) fourth Summit of the Americas in 2005 (Council on Hemispheric Affairs, 2006). Phase two of this plan has been to expand MERCOSUR to include Venezuela as a full member, and Bolivia, Chile, Colombia, and Peru as associate members. From an economic perspective, the addition of Venezuela to MERCOSUR is unquestionable – with Venezuela, the 5th largest oil producer in the world, MERCOSUR represents 75% of all South American economic activity and houses 65% of the continent’s
population (Council on Hemispheric Affairs, 2006). Politically, it is uncertain as to the impact Chavez will have on MERCOSUR.²³

Both of these examples – forcing a “watered down” FTAA-lite at the Miami ministerial, and extending MERCOSUR, his own vision of “free” trade – show that Lula is not an anti-neoliberalist, but rather seeks policies of free trade on his own terms. The terms of MERCOSUR, for instance, call for members to accept a common external tariff, which harmonizes trade rules across member countries. It also allows the bloc to effectively manage trade with countries outside of bloc, by creating a united front with, once again, harmonized trade rules. This facilitates and encourages trade among members, while managing competition from non-members. In addition, members of MERCOSUR are expected to negotiate free trade agreements as a bloc, rather than on a bilateral basis. This has caused some tension among current and potential members – specifically Uruguay, which had signed a Trade Investment Framework Agreement (TIFA) with the United States in 2007. Although not a binding bilateral agreement the TIFA nonetheless has caused tensions within MERCOSUR (MercoPress, 2007). While the terms of MERCOSUR are relatively clear, and not unlike other trading agreements, in other ways it is harder to discern Lula’s position, as he walks a fine line between populist and capitalist. Nowhere is this more evident than in his speaking engagements in

²³ President’s Lula (Brazil) and Kirchner (Argentina), two original members of MERCOSUR are far less combative against the neoliberalism of the United States than Chavez. During the integration process of Venezuela becoming a full member, they encouraged Chavez to keep his anti-U.S. rhetoric out of the proceedings. Chavez obliged (See: Council on Hemispheric Affairs, 2006). Whether Chavez continues to be conciliatory in the future remains to be seen.
January, 2003 – which had Lula addressing the World Social Forum one day, and then the World Economic Forum virtually the next day.

On January 25, Lula addressed tens of thousands of people at the World Social Forum in an almost double-sided speech that appealed to the radical spirit of the Forum:

This victory is the result of a long struggle. We have fought and hoped for so long. So many have died before us. I want to be able to look you in the eyes and say that I haven’t failed, but that I have built a government for the poor;

Yet also somewhat tempered the movement’s demands and expectations:

a good coach is not the one who wins the first game, but [one who] can win the cup after four years... Running a government is like running a marathon. You can’t rush at the beginning otherwise you’ll and up panting in the first street corner... We have to make it right, we can’t afford to make it wrong. (Socialistnet.org, 2003)

The next stop for Lula was Davos, where he addressed the “wealthy and powerful” at the World Economic Forum. Despite his claim that he was going “to bring the voice of Porto Alegre” (ie: the WSF) to Davos, Lula instead followed the script of all new presidents who hope to win the favor of “moneylenders” – he spoke of responsible fiscal policies and greater openness to trade and foreign investment (Sepulveda, 2003). While Lula rode his background as trade union organizer into the presidency, it became clear that he wants to be seen as the leader of all Brazilians – including Brazilian capitalists (Sepulveda, 2003). This illustrates a key tension in the movement uniting resistance from below and resistance from above, and has consistently led critics to question Lula’s authenticity as a resister to neoliberalism (See Footnote 22).
Lula in many ways appeases the traditional forces of globalization from above, while Hugo Chavez confronts these forces and has made an indelible mark on the power relations in the region. With fiery rhetoric that has correlated U.S. president Bush with “the devil” and capitalism with leading one “directly to hell” – Chavez has created openings for the more centrist presidents such as Lula and Kirchner to enact policies that restrict the progress of neoliberalism or at least curb its excesses. The United States is quickly beginning to view Latin American governments as residing in one of two camps – the “good left” or the “bad left.” The “bad left,” consisting of the most radical leftist presidents – Castro (Cuba), Chavez (Venezuela), and Morales (Bolivia) – creates a perceived threat that is large enough to force the United States into at least tacit support for the “good left” governments headed by Kirchner (Argentina), Lula (Brazil), Bachelet (Chile), Vázquez (Uruguay), and Toledo (Peru).

The solidarity between Chavez and Morales seems to be growing, with both advocating for fundamental changes in MERCOSUR to “decontaminate it of neoliberalism” at a recent summit meeting between South American presidents in Rio de Janeiro (Tockman, 2007). In addition to exchanging fiery rhetoric about the United States and George Bush, Chavez and Morales have inked several more tangible agreements in the areas of health, education, energy and agriculture that reflect the “cooperative” spirit of ALBA, which will be addressed more fully in a subsequent section. For example, agreements provide for the exchange of Bolivian foodstuffs for oil, along with assistance for energy development provided by the Venezuelan state oil company, PDVSA (Parma, 2006). Similarly, Venezuela has been
providing financial assistance to Bolivia, prompting the *NY Times* to proclaim in February of 2007 – “Venezuela Rivals U.S. in Aid to Bolivia” (Romero, 2007).

President Bush’s March 2007 trip to Latin America illustrates the Chavez effect on the balance of power, and reflects the fear of the U.S. that it is losing its grip on the region. A central objective of Bush’s efforts was to demonstrate U.S. commitment to the region, but the trip seemed more of a direct effort to counter Chavez’s influence, which has grown tremendously by offering low cost oil to poor communities, and redirecting petrodollars to his Latin American neighbors through lending. For instance, as part of Chavez’s “financial cooperation” initiative, Venezuela has lent $2.5 billion to Argentina, and has offered $1.5 billion to Bolivia and $500 million to Ecuador (Swann, 2007). With Venezuela emerging as an alternative source of funds in Latin America on its own, and through the Banco del Sur created through ALBA, the power of IMF and U.S./Northern financial institutions is declining in the region (Weisbrot, 2006; Harris, 2007). While some question whether Venezuela and the Banco del Sur will be able to generate enough capital to truly challenge the IMF in the region, based on the “commitments” of both camps, the challenge is indeed viable. Llana & Clark (2007) report that the IMF’s commitment in the region has fallen dramatically over the last 5 years – from $50 billion to only $3 billion. Given the structure of the Banco del Sur, in which the seven founding member states – Argentina, Bolivia, Brazil, Ecuador, Paraguay, Uruguay, and Venezuela – have each agreed to deposit 10% of their international

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24 The most contentious of Chavez’s program is the CITGO-Venezuela Heating Oil Program through which low income household’s in the United States can buy home heating oil at lower costs from the Venezuelan owned CITGO. Information about the program was retrieved on May 7, 2009 via: http://www.citgo.com/CommunityInvolvement/HeatingOil.jsp
reserves in the bank, Lendman (2007) estimates that “the Banco del Sur will replace these repressive institutions [the IMF, World Bank, etc.] with $7 billion in startup capital when it begins operating in 2008” (¶ 11). As of May 27, 2008, however, the Banco del Sur has yet to become operational, with the rhetoric of creating a financial alternative much easier than actually creating the alternative. High hopes for the bank remain, especially if one considers whether the collapse of financial institutions in the U.S. and elsewhere in 2008/2009 will create more openings for this type of funding alternative. However, for these high hopes to be realized issues related to capital subscriptions, voting shares, and how to achieve high quality portfolios and credit ratings must be resolved (Council on Hemispheric Affairs, 2008).

In addition to disrupting the balance of power, Chavez also provides tangible alternatives to the neoliberal model of free trade. He offers his Bolivarian Alternative for the Americas (ALBA) as a more radical alternative than MERCOSUR to neoliberal free trade. The intention of ALBA is to create a unified “social state” across Latin America that would improve the social and economic status of countries in the region, while at the same time reducing dependence on foreign aid and multinational corporations with the goal of shifting the benefits of trade towards ordinary people (Lendman, 2006; Dickson, 2007). The vision of ALBA is grandiose, with proposed programs including TeleSur (a regional news network envisioned in 2005 as a counter to CNN en español and Univision), PetroCaribe/PetroSur (below market prices oil programs for Caribbean and Southern countries respectively), and BancoSur (a regional financial institution that
would essentially take the place of the IMF as the primary lender in the region) (Fernandes, 2006; Dickson, 2007). In addition, Chavez calls for the creation of a “Compensatory Fund for Structural Convergence” that would transfer resources to the least developed countries so that they can develop an adequate economic infrastructure and “enter into trade negotiations on more favorable terms than the developed countries generally allow” (Arreaza, 2005).

More concrete examples of programs conceived within the spirit of ALBA include progress towards more social terms of trade and regional food and energy self-sufficiency. In addition to formal medical programs such as Operation Miracle,25 a recent deal between Venezuela and Cuba in which Venezuela exchanged oil and building supplies in return for the delivery of 20,000 Cuban doctors to work in medical clinics and hospitals in poor Venezuelan neighborhoods (Lendman, 2006). In 2007, Cuba and Venezuela also agreed to create five joint farming companies to further reduce reliance on foreign imports of food (Dickson, 2007). This illustrates the underlying philosophy of ALBA – that trade should be based on countries complementing, rather than competing with one another. Progress towards ALBA began formally in 2004 when Venezuela signed the first of its’ “people’s trade agreements” (TCP’s in Spanish – “tratado de comercio de los pueblos”) with Cuba. Subsequent TCP’s were signed between Cuba, Venezuela, and Bolivia in 2006, in addition to other agreements with Argentina, Brazil, Nicaragua, and Uruguay (Anderson, 2006; Fernandes, 2006; Harris, 2007). Current members

25 Operation Miracle is a program through which low income patients can travel to Cuba for eye surgery. Patients from Venezuela, Guatemala, Bolivia, Ecuador, and Panama have benefited from the program. The program has been so successful that surgery centers have been opened in Bolivia and Venezuela, to compliment the original center in Cuba. (Cositore, 2006).
of ALBA include Venezuela, Cuba, Bolivia, and Nicaragua, while Honduras, St. Vincent, the Grenadines, Dominica, and Antigua and Barbuda are considering membership. In July 2007, Iran was granted “observer” status in ALBA (Dickson, 2007).

ALBA, however, was dealt a blow in June of 2008 when Ecuadorian President Rafael Correa announced that his nation would not join ALBA. Upon his election in 2006, Correa had seemed open to ALBA, signing “cooperation agreements” with Chavez, which in part declared that the two countries would work together to promote integration through ALBA (Kozloff, 2008). Correa, however, made Ecuador’s ascension into ALBA contingent on Venezuela’s return to the Andean Community of Nations (CAN), through which member nations – Bolivia, Colombia, Ecuador, and Peru – work towards “autonomous development through Andean, South American, and Latin American integration” (Comunidad Andean Website, 2008). Chavez had pulled Venezuela from that group in 2006, as a show of disdain for Colombia and Peru, which were both moving towards bilateral free trade agreements with the United States (Kozloff, 2008). While Correa’s refusal of ALBA may be written off as a tit-for-tat response to Chavez’s position on CAN (he made no real efforts to bring Venezuela back into the Community), his decision may be underpinned by more general criticisms of ALBA and Chavez that are changing the tenor of the “revolution” and further muddying the waters of the “uncomfortable middle” where many smaller, less powerful nations find themselves.

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26 In addition to the four full members of CAN – Bolivia, Colombia, Ecuador, and Peru – Chile, Argentina, Brazil, Paraguay and Uruguay are “associate” members; while Mexico and Panama are “observers.” (See: http://www.comunidadandina.org/ingles/who.htm)
In talking about ALBA, Correa voiced a common critique of trade agreement – he referred to it as “ambiguous” and admitted that he didn’t “even understand it” (Kozloff, 2008). Parker (2007) voices similar concern that the specific characteristics of Chavez’s alternative are not clear, expressing a larger critique of the Left’s general “tendency to put greater emphasis on denouncing the inequalities of the prevailing system then on developing its own project” (p. 61). Attempts to “develop its own project” are also met with skepticism and critique. McCoy & Myers (2004) refers to the political structure of Chavez’s Bolivarian Revolution as a “gray zone polyarchy” that lies somewhere between liberal democracy and dictatorship. According to these authors, the new Venezuelan constitution brokered by Chavez in 1999 deepened and centralized presidential control, yet at the same time note that:

- it created two new public powers (the Electoral Power and the Citizen’s Power to Control Corruption) and provided for more direct democracy through the creation of popular referenda with the power to revoke legislation and recall elected officials (p. 280).

With the creation of the United Socialist Party of Venezuela (PSUV), Chavez is attempting to add structure to, and in a way, institutionalize the revolution. His efforts have been met with skepticism, with tensions giving rise to a debate over revolution versus bureaucracy. With each move he makes, Chavez is criticized as consolidating power and moving more towards dictatorship, yet, the structure appears to give voice to grassroots and popular interests within the more formal bureaucracy of government. The PSUV, for instance, is a truly bureaucratic entity, with a complicated, thick structure made up of several layers. The base is formed by the 5.7 million Venezuelans who enrolled in the party. Overall party membership is broken down into 12,000 battalions (branches), with delegates from every 7-12
battalions coming together to form larger, socialist circumscriptions (districts). On
March 9, 2008, “over 90,000” spokespeople from the battalions elected a 15-person
national directorate (along with 15 alternate delegates) that would act as the
highest level of governance for the party, directly below Hugo Chavez himself
(Fuentes, 2008).

The question of Chavez’s power is, and continues to be, perhaps the fatal flaw
in his attempts to make tangible his vision of “Socialism for the 21st Century” and to
make Venezuela a more egalitarian and democratic society (Kozloff, 2008). In late
2007, Chavez lost a referendum on Constitutional changes that were criticized on
this very point. Most specifically, his efforts to abolish presidential term and
reelection limits were seen as putting too much power in the hands of a “would be
dictator.” With Chavez losing his first electoral battle in 9 years, the uncertainty of
what is to come from the Obama Administration which took power in 2009, and the
deepening of the global economic woes of 2008/2009, nations like Ecuador, which
just refused to join ALBA, find it more difficult to make policy decisions vis-à-vis the
shifting balance of power both in the region, and the world. It is in this vein that the
“uncomfortable middle” emerges as a very real state of being that challenges these
nations. Given that the tug-of-war over the “uncomfortable middle” is often played
out discursively, it is important to first discuss the rhetoric used by each side to
justify their positions. It is only within that context that the “uncomfortable middle”
can adequately be placed and described.
There is No Alternative – Rhetoric from Above

Given the disastrous results of neoliberal policy outlined earlier in this chapter, it is not surprising that discourse played an important role in making neoliberalism the dominant paradigm. The architects of neoliberalism were successful in taking “minority arguments that had long been in circulation and [making] them majoritarian” (Harvey, 2005, p. 2) through a “highly efficient ideological cadre” of think tanks, charged with “selling” neoliberalism to the more general public (Kumar, 2008; Monbiot, 2007; George, 1999). According to Monbiot (2007), the purpose of this “cadre” was to “mask the real intent of [neoliberalism] – the restoration of the power of the elite – and package it as a proposal for the betterment of humankind” (¶ 8).

In short, the rationale for neoliberal policy relied on connecting the potential “payoff” from neoliberalism with traditional values of individual freedom and dignity (Harvey, 2005, p. 2). Mejía-Vergnaud (2004), in pointing to the positive effects that justify neoliberal globalization, suggests, “freedom to trade is a part of human dignity” (p.66). As such, neoliberal discourse favored entrepreneurial initiative, deified personal responsibility and demonized government action as incompetent and inefficient (McChesney, 1999). In a 1987 speech on economic justice, President Ronald Reagan illustrates how neoliberal economic policy was not only justified, but elevated to hegemonic status – by connecting the policies with more sweeping values of freedom and the individual that underpin the American way. According to Reagan:

The root cause of stagnation in the developing world clearly is not a lack of resources, but a lack of freedom.
In so many countries, what will change despair into confidence, deprivation into plenty, stagnation into upward mobility is a commitment to human freedom and an understanding of how that relates to the economic progress of mankind.

Far too many third world countries are immobilized by the policies that smother individual initiative and drain the private sector of resources. (Reagan, 1987)

In addition to the powerful discourse behind neoliberalism, proponents also had the power of global institutions to help “sell” neoliberal policy reforms to the developing world. That is, countries were compelled to initiate neoliberal reforms as conditions of borrowing from institutions like the IMF and World Bank.

Neoliberalism was the only option – a position most precisely encapsulated by Margaret Thatcher’s famous acronym, TINA (there is no alternative). Nowhere is this sentiment more expressed than in Bhagwati (2001), which, in explaining “why globalization is good,” defends globalization as increasing the “size of the economic pie,” and declares its underlying neoliberal policies “economically benign.”

Nearly all economists are now agreed that, despite reservations expressed by a few of their number, the postwar record of freeing trade is one associated with increasing economic prosperity. So the argument that trade increases the size of the economic pie is not a serious issue currently. (Bhagwati, 2001, p. 7)

The success of this discourse materializes in many ways, all of which serves the purpose of reorienting the conversation about neoliberalism away from economic data and towards less tangible, ideological appeals. These ideological appeals hinge on support for markets and trade, democracy and decentralization, along with the idea of “good governance” (Chakravorty, 2003). The role of the state, which is largely constructed as incompetent and inefficient, therefore, “is to enable the private sector to lead economic activity – state activity, in other words, should be market friendly” (Kiely, 1998, p.68). Almost every neoliberal organization or
supporter echoes this sentiment. The motto of the World Economic Forum – where the world’s most powerful business and political elites meet to discuss strategies for the consolidation of neoliberalism – proclaims, “entrepreneurship is in the global public interest.”

In most instances, neoliberalism is presented as almost a happy equation:
free markets + free trade = wealth, democracy, and peace (Barkawi, 2006).

Underpinning this equation, however, is the idea that the engine of wealth, democracy, and peace is the elite capitalist class, whose further enrichment by free markets and free trade will somehow trickle down and positively impact the lives of the masses.

The theory and ideological justification for [neoliberal] measures is that higher incomes for the rich and higher profits will lead to more investment, better allocation of resources and therefore more jobs and welfare for everyone. (George, 1999)

This argument resonates with many key economic theorists, who claim that there are no losers with neoliberal globalization – that it “lifts all boats” (Friedman, 2000; Bhagwati, 2001; Mejia-Vergnaud, 2004; Suter, 2004). Real world economic data, however, does not support such a happy equation/analogy. Which is why the rationale behind neoliberal policy often returns to either the intangible appeals described above – creating a false consciousness – or returns to the absolute argument that there is no alternative. Both of these aspects of neoliberal rhetoric are taken to task by the rhetoric from below, which speaks passionately about

solidarity in terms of resource allocation, rather than class distinction, and how solidarity creates a reality in which “another world is possible.”

*Another World is Possible – The Rhetoric from Below*

While the rhetoric from above emphasizes the individual, almost all aspects of the rhetoric from below emphasizes the collective – something which can be seen specifically in the example of the recuperated business movement in Argentina discussed earlier. For instance, in the case of the Bauen collective, Falk (2008) explores the rhetoric of “cooperativism” – noting the distinctions between formal cooperativism, which largely viewed the cooperatives as legal entities that allowed for the organization of management and production in the workplace, and affective cooperativism (compañerismo), which was envisioned as “working together for the benefit of a group (p. 597). This compañerismo is communicated specifically in the case of Bauen and other recuperated businesses in Argentina, but also more generally in the movement against neoliberalism through the discourse of solidarity.

The rhetoric of cooperation, or solidarity, is starkly contrasted to that of neoliberalism in that it shows “how a social struggle can redraw territories, establishing linkages where indifference was once the norm” (Zibechi, 2006). This indifference is endemic of neoliberalism, which, according to Falk (2008) works to remove citizens from participation in political life (p. 589). The neoliberal rhetoric defines citizenship in terms of individual autonomy and responsibility, and consumer choice, while the rhetoric from below “works to recreate the notion of the worker as a collective and independent political actor, based on an ethics of

solidarity and collaboration” (Falk, 2008, p. 581). In addition to the key theme of solidarity, the resistance also uses imagery of direct participation, direct action, and direct democracy to communicate its position and distinguish its vision from the vision of neoliberalism. Albert (2002) succinctly expresses these themes in his description of the dual commitments of the WSF – solidarity and vision.


(2) Vision: Emphasize that “another world is possible,” and realize that we ought to be, in part, about describing it. (Albert 2002)

Both the movement against neoliberalism from above, and the broader movement that is struggling from below have embraced the rhetoric of solidarity wholeheartedly. From above, Hugo Chavez, in a speech peppered with references to his “compañeros,” emphasized the importance of solidarity to the success of the movement in his 2006 address at the WSF:

We have to link up all our causes, unity, unity, unity, movements united respecting diversity, respecting the autonomy, no one is planning to impose anything on anyone, only coordination, unity, because if we don’t work together we will never triumph not even if we fight for 500 years, only united can we do it, uniting our moral and intellectual forces, our ideas, our diversity, our physical strength, our social movements, our political movements, our local governments. (Chavez, 2006)

Similarly, from below, solidarity is considered a moral foundation of the movement. Falk (2008) describes a heated confrontation between the workers of the Bauen cooperative and ex-coworkers who continued on as employees at the Bauen Suites (the “sister” facility which maintained operation under the original owners after they shuttered the Bauen Hotel and fired most of the workers there). The confrontation erupted from the moral outrage that the cooperative workers felt
when the Bauen Suites workers continued to work rather than show solidarity – breaking the “compañerismo” compact of workers (p. 598-599).

In addition to solidarity, the second aspect of the rhetoric from below emphasizes the importance of direct action in making change. Where the discourse and policies of neoliberalism favors the minority, elite owners of capital, the movement from below embraces the majority and encourages people to take back control of their destiny. In her translation of the WSF’s message, Klein (2003) illustrates the rhetoric of direct action, direct participation, and direct Democracy.

Politics had to be less about trusting well-meaning leaders and more about empowering people to make their own decisions; democracy had to be less representative and more participatory. (Klein, 2003)

Fundamental to this action, however, is the claim that neoliberalism is a “corrupt” model. For instance, Argentina is referred to as “not just another poor country, but a rich country made poor” (Lewis & Klein, 2004) and a country where “labor unions do not defend the workers, but rather, the businessmen” (Zibechi, 2006b, p. 351). Corruption is not assessed so much as the public versus the private interests, but rather as individual versus collective benefits (Falk, 2008). In the case of Argentina, the government was corrupt because it provided benefits to individuals (ie: business owners) rather than collectives (ie: workers). This allowed the workers who were occupying businesses to legitimize their actions, to gain support of neighbors, build larger communities of cooperation, and share the benefits of their productivity in a more collective fashion – which is consistent with the overall rhetoric of the movement from below. This rhetoric, along with the rhetoric from above, is deployed more specifically in the case of CAFTA-DR, forming the
boundaries of the “uncomfortable middle” where most signatories find themselves. This space – both physical and discursive – is described in the concluding section that follows.

The Uncomfortable Middle

As illustrated, resistance from above, when coupled with resistance from below, has opened spaces – both real and discursive – for the construction of concrete alternatives to neoliberal globalization. Neoliberal globalization might be losing its hegemonic hold, but it is not going down quietly, with the U.S. resorting to “bullying tactics” manifest through both policy initiatives and discourse (Lendman, 2006). For instance, the U.S. used CAFTA-DR as a “carrot” and threatened to remove from the agreement those countries that did not abandon the G22 at the Doha Round of WTO negotiations in Cancun (Latin America Weekly Report, November 7, 2003). Through a concerted effort of the U.S. globally, the G22 was ultimately reduced to 12 (Argentina, Bolivia, Brazil, Chile, China, Cuba, Egypt, India, Mexico, Paraguay, South Africa and Venezuela). The United States has responded with a similar “power play” to the demise of the FTAA, embarking on smaller scale bilateral negotiations with weaker nations (such as the Central American countries included in CAFTA-DR) to create a “coalition of the willing” in terms of trade (Cavanaugh, Anderson, & Lee, 2005).29 The goal is to create the illusion that free trade is progressing unfettered, and to instill a fear of marginalization within those countries where resistance to America’s free trade vision has been most stalwart.

29 Most recent bilateral agreements include those between the U.S. and Peru, Colombia, Panama, and South Korea respectively. See http://www.state.gov/e/eeb/tpp/trade/index.htm for more information.
This fear of marginalization is amplified through the discourse of the United States, which creates a dynamic of competition, rather than the cooperation on which ALBA hinges. For instance, in a recent phone interview with the Costa Rican newspaper, La Nación, U.S. Trade Representative Susan Schwab balked at the possibility of a re-negotiation of CAFTA-DR, proclaiming that, “quite frankly, there are an awful lot of countries that have lined up to negotiate free trade agreements with us” (Schwab, 2007). Further fear appeals are used to demonize Chavez, ALBA, and his “Socialism for the 21st Century,” while at the same time hinting that, in pure Bush Administration fashion, countries are “either with us, or against us.” As “communists,” or “enemies of the United States,” (Kozloff, 2006) Chavez, and other Latin American leaders on the left, are constructed as a threat to Latin America – a threat which can only be avoided through allegiance to the United States and its trade ideology.

Let us enact a free trade agreement with central America to lock in democratic growth and stability, and let us make sure that President Hugo Chavez’s Venezuelan agents find no fertile ground in America’s backyard. (Rep. M. Kirk, Quoted in Kozloff, 2006)

This fear mongering against alternative visions for trade and development is not lost on the key players in the CAFTA-DR game – with Daniel Ortega, President of Nicaragua stating blandly, “Bush is taking up CAFTA because it is his way of keeping Central America from looking South” (Pres. Daniel Ortega, Quoted in Kozloff, 2006).30 Indeed, in the shadow of the October 7, 2007 referendum on CAFTA-DR,

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30 Daniel Ortega provides a glaring example of the “precarious middle” position theorized in this chapter. While the quote provided here borrows largely from the rhetoric from below (the Left) and critiques CAFTA-DR as a neoliberal project, it was under his presidency that Nicaragua ratified and enacted CAFTA-DR.
through which the Costa Rican people voted in favor of the regional trade agreement with the United States, *La Nación* cited reactions from several “foreign” sources, all in support of Costa Rica’s “Sí” vote.

For instance an October 9, 2007 opinion piece attributed to *The Wall Street Journal* entitled, “¡Bravo, Costa Rica!” congratulated the decision of the “promoters of free trade” to increase commercial relations both regionally and with the United States, and called the outcome of the referendum a “triumph of Costa Rican hope and confidence over the fear of the opposition.” While *The Wall Street Journal* preferred not to mention the “opposition” by name, *The Washington Post*, which also contributed an opinion piece to the October 9, 2007 edition of *La Nación*, was more deliberate in assessing the opposition: “It is certain that the referendum has been a defeat for Hugo Chávez and his populist ‘Bolivarian Alternative’ (ALBA) to trade with the United States.”

*The Washington Post* goes on to illustrate the competitive nature of trade/development within the neoliberal model, stating that the “sweetest point for the United States is the end of the state monopoly that exists in the insurance and telecommunications industries” adding, as almost a second thought that “this will benefit the Costa Ricans also because they will be able to obtain lower prices and better service.” This illustrates how the broader rhetoric that neoliberal globalization “lifts all boats” enters more specifically into the discourse of CAFTA-DR.

This discourse is countered by the spirit of ALBA, and encapsulated by Hugo Chávez’s vision of “Socialism for the 21st Century.” While *The Washington Post*
conflates popular interests with corporate interests, Chávez distinguishes between “el pueblo” (the people) and “una élite” (the elite) advocating for an economic model that privileges the former rather than the latter:

The economic problem is fundamental, they know that Socialism should attend to all of the problems and one of them that is essential, is the socioeconomic problem, the production of goods and services to satisfy basic needs – human priorities – of the community... (Chávez, Alo Presidente No. 271)

As mentioned earlier, some question whether Chávez is capable of following through on his sometimes fiery, always popular, rhetoric. McCaughan (2005) reports business as usual, despite Chávez's appeal to “el pueblo:”

But the vast majority of Venezuelan citizens remain mere observers of the political process... The windfall of oil revenues continue to power the political system, and financial largesse underpins loyalty to the government of the day. (p. 199)

More recently, however, Chávez appears to have made good on his promises to put the people's needs above the needs of capital, through the 26 laws he enacted on July 31, 2008. According to the AP:

Under one of the new laws, food retailers or distributors caught skirting government-imposed price controls or hoarding products will be punished with up to six years in prison.

Business owners who refuse to produce, import, transport or sell "items of basic necessity" can face up to 10 years in jail.

The decree allows the government to "restrict or prohibit the import, export, distribution, exchange or sale" of certain foods or agricultural products and "take over distribution activities when considered necessary." (Sanchez, 2008, ¶ 8-10)

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31 On January 31, 2007 the Venezuelan Congress granted Chávez special legislative power to enact laws by decree. The power is granted for 18 months and then expires. Opponents of Chávez harshly criticized his “winning” of this power, but as Stephen Lendman points out, Chávez is the 5th Venezuelan President to ask for the power, and the power does not allow him to circumvent the will of the people (who under the constitution can demand a referendum to overturn any law) or the Congress, which has the ability to overturn any of Chávez’s decrees with a simple majority. (For more, see Lendman, 2008, available at: http://www.venezuelanalysis.com/analysis/3720).
These final examples illustrate the contradictory nature of discourse that underpins visions of development and policy positions taken by nations. In the current research, we see that CAFTA-DR signatories find themselves in a unique position – in the “uncomfortable middle” – poised precariously between forces of globalization from above and forces of globalization from below, and forced to decide which “star” to hitch their development dreams to. A smaller, less powerful country like Costa Rica, however, is not the only country that finds itself in this precarious middle. For instance, the centrist Lula occupies the dangerous territory between the United States and Hugo Chavez, while Mexican president Calderón finds himself in a similar position as the U.S. looks to him as a counter to Chavez in the region, yet popular support for Chavez draws Calderón and Mexico more deeply into agreements such as MERCOSUR. The key difference is the existence of leverage, which allows the more powerful Brazil and Mexico to exert their sovereignty to a certain extent. In less powerful country like Costa Rica, however, how does the articulation of resistance from above and resistance from below respond to these competing pressures? The answer to this question will begin to materialize, as the following chapters, which analyze the mediated discourse of CAFTA-DR in the United States and Costa Rica, unfold.
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Chapter 2

CAFTA-DR in the United States: A Less Ambitious Agreement

On November 20, 2003, the FTAA Ministerial meeting concluded in Miami and released its’ Declaration, stating, in part, that:

- Ministers recognize the need for flexibility to take into account the needs and sensitivities of all FTAA partners. (Ministerial Declaration of Miami, Point 5)

- We are mindful that negotiations must aim at a balanced agreement that addresses the issue of differences in the levels of development and size of economies of the hemisphere, through various provisions and mechanisms. (Ministerial Declaration of Miami, Point 6)

- Ministers recognize that countries may assume different levels of commitments. (Ministerial Declaration of Miami, Point 7)

As such, the United States’ dream of a sweeping hemispheric free trade agreement was dashed, in favor of what had been dubbed a “free trade a la carte” system (Wainwright & Ortiz, 2006; Dawkins & Moncada, 2004; Wallach, 2003; Vann, 2003) or “FTAA lite.” The “new” system would allow signatories to opt-in or opt-out of certain aspects of the agreement as they saw fit.32 By these accounts (see previous citations), the agreement of the U.S. to give up on its push for the FTAA as a “single undertaking” that would force countries to make an “all or nothing” decision on the agreement (Sampson, 2003) was a shocking about face, and an indication of a changing power dynamic in free trade negotiations.

Before the final Declaration was even released, United States Trade Representative Robert Zoellick was already announcing that the U.S. would keep its

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32 “The concession made by the US government to allow a two-tier approach to the FTAA--with one tier of mandatory obligations and a second, voluntary tier around more contentious issues, such as investment and intellectual property rights--means the United States may not win its demand that countries must sign on to agreements on rules for all trading areas or else forfeit certain market-access privileges.” (Anderson, 2003)
trade agenda moving forward by initiating bilateral talks with countries that are willing, and able to move more quickly towards regional integration – Colombia, Peru, Ecuador, Bolivia, Panama, in addition to the “CAFTA-DR” countries, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and the Dominican Republic (Palmer & Roberts, 2003; Sampson, 2003; Anderson, 2003). The announcement by Zoellick, seen largely as a move to put pressure on Brazil by suggesting that it would be isolated in terms of trade (Vann, 2003; Anderson, 2003), was accepted coolly by the Brazilians, who said that they too were “hoping to negotiate bilateral trade agreements with nations including Peru and Venezuela through the Mercosur trade group” (Romero, 2003, November 19). Thus we can see, clearly, the positions from above (North) and below (South) delineated in the previous chapter, and how Central America is poised somewhere in between. The question that emerges is how these positions – above, below, and in the middle – will be articulated in the discourse surrounding CAFTA-DR.

This chapter reports the results of a frame analysis of 53 NY Times articles that represent the Times’ dedicated coverage of CAFTA-DR. While tangible alternatives to the neoliberal CAFTA-DR trading model exist – such as the Brazilian efforts mentioned above, in addition to the Bolivarian Alternative discussed in Chapter 1 – The NY Times fails to introduce these alternatives into the discourse, therefore privileging the neoliberal definition of free trade (ie: removal of all barriers to trade and investment; privatization of state owned enterprises; enhanced intellectual property rights). This definition is never labeled “neoliberal,” but rather simply referred to as “free trade” – suggesting that the version of free
trade offered by free trade agreements such as CAFTA-DR, and the highly sought after FTAA, is the only kind of free trade. *The NY Times* delineated a narrow discursive field for CAFTA-DR, with the Business/Financial Desk, government sources, and a negative tone dominating the discourse. As a result, criticism was directed at CAFTA-DR, yet the underlying neoliberal principles that underpin the agreement were left untouched. Instead of debating the underlying policies that inform key arguments of CAFTA-DR (such as labor rights), the *Times* emphasizes the political “push” to make CAFTA-DR happen, despite its shortcomings and despite criticism. In the end, the *Times’* position on CAFTA-DR is almost identical to that of the Bush administration and other supporters of the agreement – that an “imperfect” CAFTA-DR is better than “no” CAFTA-DR at all. This position is communicated most powerfully through the Editorial page, along with the interpretive packages of “progress” and “protection” that are woven throughout the *Times’* coverage. These findings are reported, and supported by evidence from the data set, in the sections that follow. First, however, I will provide a brief explanation of my analytical approach and data set definition.

**Analytical Approach**

Frame analysis is a qualitative approach used to study how individual or media messages are constructed. According to Gamson & Modigliani (1989), “media discourse can be conceived as a set of interpretive packages that give meaning to an issue” (p.3). The heart of the media package is the frame, which is an organizing tool employed by both the media and individuals to make meaning of the world. Frames allow for the consolidation of large amounts of information into manageable
categories that encourage audiences to construct their understanding of a given
issue in a particular way, which, in the case of the profit oriented, commercial
media, usually serves to maintain the status quo or ruling ideology (See:
McChesney, 1999; Herman & Chomsky, 1988; Artz, 2003). Frames reside within the
media text and are for the most part constructed unconsciously by journalists who
themselves have been conditioned by the “routines” that order their work as
professionals in profit oriented corporations, and their own internalization of the
dominant ideology as simply “the way things are” (See: Gitlin, 1979; Tuchman,

The best way to detect frames is through comparison, or “probing for
particular words and visual images that consistently appear in a narrative and
convey thematically consonant meanings across media and time” (Entman, 1991,
p.7). Constant comparison was performed in the current analysis as part of
grounded theory, a highly qualitative, inductive approach (Strauss & Corbin, 1998).
Referred to as an “emergent” research process, grounded theory calls for the
researcher to immerse themselves in the data, without biases or hypotheses. This
allows for a more authentic theory to emerge from the data, rather than being
imposed on the data through hypothesis testing (Dick, 2005). According to the
grounded theory process, a close reading of NY Times articles about CAFTA-DR was
performed. Categories of coverage were created, related to one another, collapsed,
and integrated to build the theory of how the NY Times constructed CAFTA-DR. In
addition to presenting these qualitative findings, I will also report some quantitative
findings in terms of the amount of coverage, the placement of articles, and the
nature and frequency of sources, as together quantitative and qualitative aspects define the “issue culture” of CAFTA-DR as constructed by The NY Times.

**Defining the Data Set**

At the onset of this research project in the summer of 2005, it was hard to imagine the future course that progress on CAFTA-DR would take. The data set parameters were defined and redefined. After a “hard fought battle,” the U.S. Congress passed the legislation and the President signed the bill into law on August 2, 2005 (data set end date #1). The CAFTA-DR saga continued, however, as the January 1, 2006 implementation date came and went without a single signatory putting CAFTA-DR into force (data set end date #2). It was anticipated that the October 7, 2007 public referendum on CAFTA-DR in Costa Rica would resolve CAFTA-DR once and for all (data set end date #3), yet even after CAFTA-DR was passed through the referendum, the struggle against implementation of the agreement continued. It was not until January 1, 2009 that CAFTA-DR was made whole, when the last signing country – Costa Rica – put the agreement into force. This final delay posed challenges to the thoughtful research that had already been conducted and begged the question, should the data set be reconfigured?

While CAFTA-DR was a dynamic issue in Costa Rica, with discourse ebbing and flowing as events surrounding the legislation heated up or cooled off, the Times seemed to show little interest in CAFTA-DR generally, and the protracted struggle in

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33 The same dilemma arose in the construction of the Costa Rican data set. The extension of the data set to January 1, 2009 for the Costa Rican discourse returned approximately 4,000 additional articles that include the keywords – “TLC” or “CAFTA.” While all grounded theory, systematic analysis was performed on data sets running through October 14, 2007 (one week after the referendum), an informal discussion of additional discourse in Costa Rica through January 1, 2009 (the implementation date for CAFTA-DR) appears as part of the “Epilogue” that closes the concluding chapter of this work.
Costa Rica specifically. For instance, the original data set, constructed by searching for “Central American Free Trade Agreement or CAFTA-DR” across all available dates through October 14, 2007 (one week after the referendum in Costa Rica) – yielded 118 documents that mentioned the agreement. A subsequent review of the articles for content narrowed the data set to 53 articles dealing with CAFTA-DR as the main subject. 60% (32 articles) of these articles appeared during the period of the U.S. Congressional debate (May 2005-July 2005), while just 3 articles appeared during the period of the Costa Rican referendum (April 2007-October 2007).

In returning to the original data set dilemma, an additional Lexis Nexis search was performed, extending through January 1, 2009, to gain perspective as to whether the 53 articles in the original data set adequately reflected the full scope of NY Times discourse on CAFTA-DR. The extended parameters retrieved only 10 additional documents, none of which substantially dealt with CAFTA-DR. In fact, the NY Times did not even report on January 1, 2009 that CAFTA-DR had been made complete with the agreement taking effect in Costa Rica. As a result, the analytical findings reported in the sections which follow, are based on a data set of 53 NY Times articles, which represents all relevant CAFTA-DR discourse through January 1, 2009.

**Constructing CAFTA-DR: An Analysis of NY Times Coverage**

While frame analysis is a qualitative method, which yields subjective results, a number of quantitative findings emerged from the data as part of the grounded theory process. These quantifiable aspects, such as the amount of coverage, the originating desk, and the statistical breakdown of “privileged” sources used by the
*Times*, will be reported first, followed by qualitative findings such as the Editorial framing, the subsequent terms of the debate, the tone of the discourse, and the interpretive packages used by the *Times* to construct CAFTA-DR.

**The Amount of Coverage**

Through the amount of coverage given to an issue, news agencies “set the agenda,” indicating to audiences the issues that are most important, and which warrant their attention (Kosicki, 1993). The first significant finding was the paucity of coverage CAFTA-DR received by the *Times*. As noted in the previous section, not only was the coverage limited to mention in just 118 articles (53 with substantial CAFTA-DR focus), but also it virtually stopped after CAFTA-DR was passed by the United States.³⁴ To put this quantity of coverage into perspective, the *Times* mentioned the North American Free Trade Agreement (NAFTA) in 622 articles during the negotiation and ratification of that agreement in the 1990’s.³⁵ Similarly, in his study of the *Times* framing of NAFTA, Goss (2001) included over 300 articles in his analysis.

The almost non-existent coverage of CAFTA-DR in the *Times* is reflective of a broader marginalization of Latin America/Central America in terms of U.S. foreign policy. According to Hakim (2006), the general calm in Latin & Central America from 1989-1995 – the period during which Central America’s brutal wars had subsided and NAFTA was signed – led to a period of lethargy in U.S./Latin American

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³⁴ 43 out of the 53 articles included in the data set appeared before President Bush signed CAFTA-DR into law on August 2, 2005.

³⁵ A Lexis Nexis search of the *Times* from June 12, 1991 (when formal negotiations were announced) through November 1993 (when the agreement was passed) using the search term “North American Free Trade Agreement” yielded 622 documents.
relations. 9/11 further deteriorated U.S.-Latin American relations as what little focus the U.S. had directed southward became more “sporadic and narrowly targeted at particularly troubling or urgent situations” (Hakim, 2006, ¶2). This malaise and overall marginalization was noted by Secretary of State Condoleezza Rice, who described U.S. policy toward the region as “oscillat[ing] from engagement to disregard” in comments she made to the Council of the Americas (Becker, 2005, May 10).36

Given this new political economy in terms of CAFTA-DR versus that during NAFTA, it is not surprising to see some difference in the amount of coverage. What is surprising is the depth of the difference, with NAFTA coverage outpacing CAFTA-DR coverage by a margin of at least 6 to 1. Given that CAFTA-DR was modeled, largely, on NAFTA, the relatively small about of coverage extended to CAFTA-DR is even more interesting. This limited coverage signals to readers that CAFTA-DR is “no big deal,” a framing mechanism that is mirrored within the content of the Times’ coverage, which largely minimized the economic impact of the agreement while emphasizing the less tangible and subjective “principles at stake.” This framing of CAFTA-DR as an issue will be discussed later in the chapter.

36 The sentiment, that CAFTA-DR would signal to Central America that the U.S. is committed to the region, and reinvigorate U.S./Central American policy, is expressed strongly by the Bush Administration, both through the NY Times coverage and through official communications from the White House. For instance, the press briefing preceding President Bush’s March 2007 trip to Latin/Central/South America includes this line of reasoning. The press briefing was accessed on May 9, 2009 via: http://georgewbuswhitehouse.archives.gov/news/releases/2007/03/20070305-3.html
Defining the Discursive Field: Who’s Talking about CAFTA-DR?

The amount of coverage is also a function of the discursive field within which the coverage is situated. The discursive field refers to where the issue is being discussed, in terms of section in the newspaper, who is given voice in the discussion, in terms of sources, and the tone those voices take on the issue. In the current analysis, all three aspects of the discursive field will be addressed. I will first attend to the “where” of the discursive field, followed by the “who” of the discursive field. The section will then move on to delineate the Editorial position of the Times, the “terms” of the debate as expressed through the news discourse, and finally return to report the tone of the discursive field.

<table>
<thead>
<tr>
<th>Desk</th>
<th># of Articles</th>
<th>% of Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business/Financial</td>
<td>29</td>
<td>55%</td>
</tr>
<tr>
<td>Editorial</td>
<td>12</td>
<td>23%</td>
</tr>
<tr>
<td>Foreign</td>
<td>9</td>
<td>17%</td>
</tr>
<tr>
<td>Metropolitan</td>
<td>3</td>
<td>6%</td>
</tr>
</tbody>
</table>

Table 2.1: NY Times coverage of CAFTA-DR by topical desk/section. Percentages are rounded to the nearest whole number.

As illustrated in Table 2.1, stories about CAFTA-DR were most likely to originate from the Business/Financial Desk, followed by the Editorial Desk (12 articles – 8 Editorials; 4 Letters to the Editor), the Foreign Desk, and to a much lesser extent, the Metropolitan Desk. Based on these numbers, the Times overwhelmingly constructed CAFTA-DR as an issue important to businesses or business minded people. The discursive field of an issue is crucial, as “[the discursive field] establishes the limits of discussion and defines the range of
problems that can be addressed” (Fiss & Hirst, 2005, p. 34). In other words, it defines the boundaries of “legitimate controversy” (Goss, 2001) and sets the terms of the debate. By relegating an issue with consequences that spread far beyond those of industry to the business page, the debate is limited to business terms, such as competitiveness, market access, and jobs – terms that will be fleshed out more thoroughly in the “terms of debate” discussion ahead.

The second aspect of the discursive field refers to the sources that the NY Times relied on in its crafting of the CAFTA-DR story. As reported in Table 2.2, government voices clearly dominated the discourse of CAFTA-DR. This dominance was seen both overall – with governmental sources (both U.S. and Foreign) accounting for 66% of the attributable discourse – and even more specifically in Business/Financial coverage – where the total percentage rose to 73%. Within the government source category, the Administration was privileged over all others, accounting for 38% of the discourse. As the analysis unfolds, the voice of the administration will be heard clearly both through Editorials and “news” content – amplified most loudly in the more ideological discourse of democracy, and of the progress and protection packages. In addition to the administration, Democrats and Republicans received almost equal voice within the government source category, contributing 23% of the discourse and 21% respectively. Foreign government sources received the least emphasis, accounting for 17% of the total government discourse. Other voices, such as Industry, Labor/Workers, and Protesters were given openings through the Editorial Desk and Metro Desk respectively, yet the
relatively small number of articles coming from these desks calls into question the impact of such openings.

<table>
<thead>
<tr>
<th>Source</th>
<th>Total</th>
<th>Bus/Fin Desk</th>
<th>Foreign Desk</th>
<th>Metro Desk</th>
<th>Editorial Desk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government</td>
<td>116</td>
<td>93</td>
<td>17</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Industry</td>
<td>25</td>
<td>16</td>
<td>5</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Labor/Workers</td>
<td>12</td>
<td>4</td>
<td>5</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Think Tanks</td>
<td>10</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>NGO’s</td>
<td>8</td>
<td>4</td>
<td>4</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Academics</td>
<td>3</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Protesters</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Voters</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Table 2.2: *NY Times* sourcing preferences for CAFTA-DR; reported by number of references and share of voice (% of total attributable references).

From a journalistic perspective, what is perhaps most troubling about the *NY Times*’ sourcing practices is its propensity to consolidate individual policy statements and positions – that are clear and confirmable references – into more anonymous and amorphous “mega” sources, such as “opponents” and “supporters.” These sources, when considered identifiable, make up a large portion of the discourse surrounding CAFTA-DR. Table 2.3 indicates how sourcing data (reported in Table 2.2) changes, as nameless “opponents” and “supporters” are figured in the discourse.
<table>
<thead>
<tr>
<th>Source</th>
<th>#</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government</td>
<td>116</td>
<td>54%</td>
</tr>
<tr>
<td>Industry</td>
<td>25</td>
<td>12%</td>
</tr>
<tr>
<td>*Opponents/Critics</td>
<td>21</td>
<td>10%</td>
</tr>
<tr>
<td>*Supporters</td>
<td>15</td>
<td>7%</td>
</tr>
<tr>
<td>Labor/Workers</td>
<td>12</td>
<td>6%</td>
</tr>
<tr>
<td>Think Tanks</td>
<td>10</td>
<td>5%</td>
</tr>
<tr>
<td>NGO's</td>
<td>8</td>
<td>4%</td>
</tr>
<tr>
<td>Academics</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Protesters</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Voters</td>
<td>1</td>
<td>.5%</td>
</tr>
</tbody>
</table>

Table 2.3: *NY Times* sourcing preferences for CAFTA-DR; reported by number of references and share of voice. *Including “Opponents” and “Supporters” as sources.

Table 2.3 illustrates that “opponents/critics” and “supporters” of the pact were cited more often than specific Labor/Workers, Think Tanks, NGO’s, Academics, Protesters and Voters. Through this technique, much of the discourse of CAFTA-DR sidesteps substantive debate, and instead reduces the positions and arguments of each side to the print equivalent of a “sound bite.”

Opponents of CAFTA say the U.S. should not trade with countries where worker rights are violated, while supporters say CAFTA will help put teeth into enforcement efforts. (Forero, 2005, July 1)

Most opponents of the trade pact argue that it amounts to a dangerous precedent that would encourage companies to shift more production to countries that offer poverty-level wages and fewer worker protections. (Andrews, 2005, July 27)
Proponents say [CAFTA] will drive export growth in the United States and job growth in Central America. (Confessore, 2005, August 8)

This style of sourcing allows the NY Times to define the issues based on its own needs/interests, while keeping readers unaware of the levers of power that operate below the surface to inform such positions and statements. We also begin to see the “terms of the debate,” along with the overwhelmingly negative tone taken by the Times – citing “opponents” and referring to “opposition” far more frequently than “proponents” and “support.” This use of tone as a framing device will be discussed more thoroughly after the terms of the debate have been delineated.

The Terms of the Debate

As illustrated in the previous discussion of the discursive field, the discourse of CAFTA-DR was largely dominated by news originating from the Business/Financial desk that relied heavily on governmental sources. However, it is the Editorial page that is afforded more leniency in expressing “opinion” and constructing the position of the paper as a whole on a given issue. In the case of CAFTA-DR in the NY Times, clear connections between Editorial and news coverage can be observed and illustrated, along with striking similarities between administration discourse and Editorial content. In the following two sections the terms of debate will be outlined – first based on Editorial position, and then based on news content.

Editorial Position

The Editorial desk, while contributing only 12 articles, or 23% of the Times’ discourse on CAFTA-DR, set the overall tone for news coverage and the construction of the agreement as an issue. According to Editorials, CAFTA-DR was not only an
economic/business imperative that was necessary to improve global
competitiveness through market access, increased trade, and jobs, but it was also a
moral imperative through which a benevolent U.S. would extend a “helping hand” to
a “needy region,” “lift[ing] them out of poverty” and providing much needed support
for their “fledgling democracies.”

Cafta would lower tariffs and help job growth in a needy region. It would
encourage growth in the region’s textile and apparel industries, a huge helping
hand at a time when China is sucking up textile manufacturing jobs. (Editorial, 2005, June 13)

The Central American accord is a good idea that will help job growth in a needy
region. (Editorial, 2004, November 24)

The agreement would encourage growth in the region’s textile and apparel
industries – a huge helping hand at a time when China is sucking up textile
manufacturing jobs. (Editorial, 2005, March 31)

Now we have a chance to help consolidate these fragile democracies by locking in
a trading relationship with the U.S. that is critical for their development. Shame
on us if we balk. (Friedman, 2005, June 24)

The agreement means more to Central America’s fledgling democracies than to the
United States. (Editorial, 2003, December 22)

Through this construction, the Editorial page sets a dangerous precedent for the
Times’ framing of CAFTA-DR on the whole. That is, by presenting passage of the
agreement as a moral duty the United States owes to Central America, it makes
opposition a morally reprehensible position that does not have to be refuted
through evidence and argument. This guarantees that there will be no real debate
over CAFTA-DR, as attention is diverted away from the class-based interests (ie:
capital) that operate below the surface of CAFTA-DR. This is seen most clearly
through the construction of “jobs” as a key issue of CAFTA-DR.
The Editorial page refers to jobs as “migrating” (Editorial, 2005, July 25; Editorial, 2005, June 13; Editorial, 2005, May 31), “heading south” (Editorial, 2005, May 31), being “sucked up” by China (Editorial, 2005, March 31; Editorial, 2005, June 13), and “steadily disappear[ing]” (Editorial, 2005, July 25). Through use of these passive terms, the Editorial page suggests that the “job hemorrhage” (Editorial, 2005, July 25) is some sort of natural or mysterious process, rather than a response by capital to maximize its’ accumulation. This point will be made salient throughout the analysis, as the Times’ coverage, generally, removed the variable of capital’s interest from the CAFTA-DR equation. By removing this variable, CAFTA-DR is constructed as a means to stem the “hemorrhage” by opening market access, increasing exports, and thus generating jobs. That is, problems caused by neoliberal policy are “cured” with more neoliberal policy. Arguments in favor of CAFTA-DR, both on the Editorial and News pages, and through privileged governmental sources, tended to rely on this form of logic.

As seen in the quotes presented thus far, the Editorial page was not all “wine and roses” when it came to its’ position on CAFTA-DR. While never suggested anything other than passage of, or support for, CAFTA-DR, the Editorial page did take a somewhat muted tone in its support the agreement. The Editorial desk was quick to point out the “less ambitious” terms of the agreement that made it “far from perfect” or “modest” at best. Yet still, even with these problems – such as the “soft” labor provisions – the Editorial desk projects a sentiment that will be echoed through the Times’ coverage, along with the Costa Rican discourse – that a less than optimal CAFTA-DR is better than no CAFTA-DR at all.
Cafta is a modest trade pact, hardly likely to lift the six countries’ economies into the 21st century. But it may be enough to lift them into the 20th century by lowering tariffs and helping job growth in a needy region. (Editorial, 2005, July 29)

Cafta itself is not likely to lift Central America into the 21st century. But it might be enough to lift the five countries into the 20th century. (Editorial, 2005, March 31)

It’s far from a perfect trade pact, if any such thing ever existed. But Cafta still deserves to be approved. (Editorial, 2005, May 31)

[Despite going soft on enforcement of labor laws] Cafta would still be a win for Central American workers. More factory jobs in these poor countries would do wonders to provide low- or no-income people with options. Denying poor people in Central America the benefits of better access to the American market is certainly not the way to lift them out of poverty. (Editorial, 2005, May 31)

Labor unions are right to complain that Cafta should mandate stricter labor standards in Central America. But that is not enough reason to kill the agreement. (Editorial, 2005, March 31)

While the Editorial desk was muted in its own support for CAFTA-DR, it was not so subdued in its treatment of opponent’s criticism of the agreement. For the most part, Editors largely wrote off the opposition and marginalized it by constructing its nature and arguments against CAFTA-DR through narrow terms. Constructed as “the usual suspects” or “usual free trade foes,” the NY Times limited opposition to three groups – sugar, unions, and Democrats. Their opposition was framed as relating almost solely to labor rights, and dismissed somewhat flippantly as disingenuous, political grudges, or dangerous “protectionism.”

Opponents include many Democrats, labor unions and America’s sugar industry... (Editorial, 2005, May 31)

Labor unions, textile interests and the protectionist sugar industry are lined up in opposition. (Editorial, 2005, March 31)
Democrats also argue that the trade agreement’s labor provisions don’t go far enough to protect workers in the six other countries. (Editorial, 2005, June 13)

The usual suspects are already lining up – business leaders for, labor unions against – and many Democrats are protesting that the pact does not go far enough to protect labor and environment in Central America. It would be easier to believe Congressional opponents really did care about protecting labor and environmental standards in other countries if many of them had not also voted in favor of an American-Jordan free-trade accord, which included nearly identical language on labor and the environment. (Editorial, 2004, November 24)

[CAFTA-DR opponents included] the sugar lobby, which wants to block more imports from Central America; the A.F.L.-C.I.O., which doesn’t like any free trade agreements; and Democrats who just want to defeat Cafta so they can make President Bush a lame duck... (Friedman, 2005, June 24)

The usual free-trade foes have been joined by many usually pro-trade Democrats who just want to stick it to President Bush and are doing so in this case under the guise of protecting workers. (Editorial, 2005, July 25)

Some of the agreement’s less ambitious terms are sops to American protectionist interests [like sugar and textiles]... Weaving protectionist clauses into a free trade agreement only cuts its value... (Editorial, 2003, December 22)

It would be wrong to leave hundreds of thousands of Central Americans in poverty and helplessness because of the shortsighted protectionism of US labor unions. (Robert Zoellick, quoted in Editorial, May 31, 2005)

The chairman of the House Ways and Means Committee, Bill Thomas, plans to woo more anti-trade Republicans to Cafta by expediting a bill that would make it easier to retaliate against subsidized imports from China. What that has to do with Central American trade is anybody’s guess. (Editorial, 2005, July 25)

Woven throughout the position exemplified above, is the Editorial desk’s tendency to construct CAFTA-DR through largely political terms, emphasizing the political “dogfight” or “bloody debate” over CAFTA-DR.

Dogfights in Capitol Hill over free-trade pacts usually pop up not long after presidential elections. (Editorial, 2004, November 24)

Mr. Portman will immediately face a dogfight over the Central American Free Trade Agreement... Trade votes on Capitol Hill are never easy... (Editorial, 2005, March 31)
The next trade dogfight is gearing up on Capitol Hill, this time over a trade pact with six Central American countries that altogether have a combined economy smaller than Connecticut’s. (Editorial, 2005, May 31)

As is always the case with trade votes, the debate promises to be bloody, as President Bush and Congressional Republicans leaders beg and bribe antitrade members of their party to make up for the legions of Democrats who are lining up in opposition. (Editorial, 2005, July 25)

In all, the NY Times’ Editorial position is stated clearly and succinctly in its own words, which appeared right after the House of Representatives passed CAFTA-DR:

Anyone who believes, as this page does, that the benefits of free trade outweigh those of protectionism should give a pat on the back to the Democrats who chose principle over politics and defied their party’s leaders to vote for the trade pact. (Editorial, 2005, July 29)

This position, along with the terms of the debate described above, are clearly visible in news discourse generated from other area desks. That is, what was expressed emotionally through the Editorial page is translated into somewhat more subdued terms by the news desks to tell the Times’ story of CAFTA-DR. The discourse emerged across two fronts – one more content or issue related, which is presented in the News Content section which follows; the other more ideological, which is presented as the interpretive packages of “progress” and “protection” that are reported later in the chapter.

**News Content**

The news coverage of CAFTA-DR that originated from the Business/Financial, Foreign, and Metropolitan desks delineated the “issue” of CAFTA-DR along similarly narrow lines in relation to the Editorial position. Given that the Business/Financial desk provided most of the coverage, CAFTA-DR was constructed as a business issue of “competition” which was expressed both literally
and also figuratively through the discourse of market access and jobs. The heavy
use of government sources served to amplify these terms, while also adding a more
ideological construction of CAFTA-DR as a vehicle for democracy. Together, these
four terms created the boundaries within which the NY Times could discuss CAFTA-
DR. A discussion of each term follows.

**Competition**

According to the terms of the debate sanctioned by the Times, CAFTA-DR was
constructed largely through the frame of competition. That is, CAFTA-DR was
framed as enhancing the ability of the signatories to compete on a global scale.

To supporters and opponents alike, the pact became a political symbol over how
best to respond to globalization, competition from low-wage countries and the

We cannot compete with China on low wages, and we don’t want to. But our
proximity to the United States gives us an advantage in special niches, where
clients need high quality and fast turnaround. (Yolanda Mayora de Gavidia,
Economy Minister, El Salvador, Quoted in Thompson, 2005, March 25)

As sponsors of the CAFTA-DR legislation, and as the most often cited sources in the
discourse, the Bush administration was fundamental in defining CAFTA-DR as an
issue of competition. According to the administration, CAFTA-DR was about
“level[ing] the playing field” and thus allowing American businesses to compete
more fairly by opening foreign markets to American goods and services.

[T]his agreement will level the playing field and help American workers, farmers,
and small businesses. (President Bush, Quoted in Andrews, 2005, July 28)

Two-thirds of our economy is the services economy. Costa Rica has a monopoly in
telecommunications and insurance. (Richard Mills, USTR Spokesperson, Quoted
in Becker, 2003, December 17)

Central America is the second-largest market in the world for our textile
products. So, if you’re a textile worker, it seems like to me, one of the questions
you ask is, where do we sell our products? (Pres. Bush, Quoted in Bumiller & Andrews, 2005, July 15)

If we are in CAFTA, we can survive. If we are out of CAFTA, we are out of business. (Maria A. Quirce, Chamber of Textile Exporters, Costa Rica, Quoted in McKinley, 2005, August 21)

Less emphasis, however, is given to the “level playing field” criticism, mounted by – mostly Central American opponents. These critics illustrate how ridiculous use of this metaphor by the United States is, pointing out the asymmetries between the two negotiating groups and laying bare (albeit with little coverage and little voice) the playing field that is sharply tilted in favor of the United States.

It is impossible for us to be competitive with all the subsidies North Americans have. (Emilio Rodriguez Pacheco, Costa Rican Farmer, Quoted in McKinley, 2005, August 21)

The unions representing [Costa Rican] utility’s 10,000 workers contend that the treaty will let big companies drive their operation out of business in a few years. (Mauricio Gonzalez, President, ICE Union, Costa Rica, Quoted in McKinley, 2005, August 21)

"I never imagined Cafta was going to be so one sided," [Otton Solis, Costa Rican Presidential Candidate] added. "The law of the jungle benefits the big beast. We are a very small beast." (McKinley, 2005, August 21)

"In some areas, Cafta is not precise," said Enrique Lacs, the deputy minister of foreign trade in Guatemala. The United States government "wants precision based on its criteria." (Malkin, 2006, March 2)

The United States does not want to understand that it takes two countries to negotiate. They make maximum demands, but when we have made demands, they have not responded. (Rafael Mejia, Society of Growers, Colombia, Quoted in Forero, 2005, June 30)

The impact [of pharmaceutical patent extensions] would not be immediate, but in the long term, it would mean the closing of our companies. (Erika Dueñas, Bolivian Pharmaceutical Industry Chamber, Quoted in Forero, 2005, June 30)

This [CAFTA-DR] is the worst-case scenario. By limiting the ability of generic pharmaceuticals to compete, it will mean these people lose the lever of generic
competition that keeps prices down and gives poor people access to medicine. (Rachel Cohen, Doctors Without Borders, 2003, December 18)

These quotes illustrate nicely the flexibility of frames to at once express opposing positions. Here, the frame of competition allows for arguments for CAFTA-DR and against CAFTA-DR on the same terms. This reveals the complexity of news framing and shows how the news is able to give voice to opposition yet to still maintain the dominant paradigm in its position and debate.

Access

Given the overarching frame of competition, the Times’ relied on two secondary frames – market access and jobs – that allow for competition to be enhanced. The second term of the CAFTA-DR debate, thus, is market access, which all agree will be broadened through the agreement. Proponents and opponents, however, disagree on the nature and effect of such access. Proponents constructed access largely in reference to the U.S. market – access to which was framed not only as beneficial, but also as perhaps the most sought after “prize” of any country wishing to improve its economy. This sentiment is voiced strongly by government sources.

The White House urged Costa Ricans to recognize the benefits of the agreement, which it said include expanding Costa Rica’s access to the American market. (AP, 2007, October 7)

This deal is a good deal for workers. This basically says if you make a good product, it’s going to be easier to sell your product to 44 million new customers. (Pres. Bush, Quoted in Bumiller & Andrews, 2005, July 15)

Freer access to the North American market is the only way, [defenders of the pact] maintain, for Central American economies to grow. (McKinley, 2005, August 21).
We are condemned to be traders. We produce what we do not consume and we consume what we do not produce. It’s essential for us to have access to the market. (President Oscar Arias, Costa Rica, Quoted in McKinley, 2005, August 21)

The United States market is what all the manufacturers are looking for. (Luis Gamboa, Factory Owner, Quoted in McKinley, 2005, August 21)

Through this privileging of the U.S. market as the “prize” of CAFTA-DR, we can also see evidence of the “level playing field” assertion from the competition frame. That is, current trade policies – such as the Caribbean Basin Initiative or General System of Preferences – are framed as “unfair” because they provide only “one-way access into the U.S. market.”

"If a country chooses not to ratify Cafta and open its markets to U.S. goods and services, it should not automatically assume that Congress would continue to provide it preferential one-way access into the U.S. market,” said Neena Moorjani, a spokeswoman for the United States trade representative, Rob Portman. (McKinley, 2005, August 21)

What is given up for this precious market access, however, is barely addressed by the NY Times’ coverage, although some critical openings allowed for such discourse.

The opposition’s construction of market access considered the enhanced American access to Central American markets, and the maleffect this would have on local businesses in terms of competition. Once again, the opposition challenges the “leveling the playing field” argument of the Bush administration and the NY Times.

The pact requires [signatories] to open their economies to American trade and investment, dismantle protections for many local industries and enforce intellectual property rights in return for greater access to the United States market. (Malkin, 2006, March 2)

Unions are also against the agreement, saying Cafta weakens previous commitments to ensure that in return for access to American markets, foreign countries respect basic labor laws and compete fairly. (Becker, 2005, June 15)

The agreement, which aims to give Central American exports permanent duty free access to the United States market, has ignited angry protests from workers
who fear that freer trade will open the door to harsh competition from the United States. (Thompson, 2005, March 25)

Jobs

The discourse of jobs was perhaps the most faceted frames included in the construction of CAFTA-DR. Not only did the discourse frame CAFTA-DR as both positively contributing to job gains and negatively contributing to job losses, but it also allowed for the issue of labor rights to emerge as a legitimate criticism of the free trade agreement. In a more tangible sense, CAFTA-DR was framed by proponents as creating or expanding jobs, while opponents argued that CAFTA-DR contributed to job loss in the United States. The discourse of “job loss” is largely reserved for the U.S., while the discourse of “job creation” is largely directed towards the Central American countries.

CAFTA and other trade agreements are important components to creating an overall robust economic picture of expanding jobs and exports. (Becker, 2003, December 18)

A solution to concerns about job losses was to open more foreign markets to American goods and services through efforts like the Central American agreement and ensure a level playing field for American products. (Robert Zoellick, USTR, in Becker, 2004, March 16)

CAFTA doesn’t fail workers, it brings foreign investment and creates jobs. In a word, CAFTA will generate stability and security. (Rigoberto Monge, National Association of Private Enterprise, El Salvador, Quoted in Becker, 2004, April 6)

In order to get a trade agreement, they had to trade our jobs in sugar... this agreement means sugar producers and industries in rural America are going to lose more jobs. (Dalton Yancey, Florida Sugarcane League, Quoted in Becker, 2003, December 18)

This vote that took place last week is not a yes vote for CAFTA; it is a no vote for good-paying American jobs. (Brian M. McLaughlin, New York City Central Labor Council, Quoted in Confessore, 2005, August 8)
I come every week with a lot of hope, and every week I go home feeling sad. If I don’t find a job soon, I don’t know how I’m going to survive. (Gloria Campos, Salvadoran Seamstress, Quoted in Thompson, 2005, March 25)

As mentioned earlier, the “jobs” frame was highly faceted, deployed differently by different sources, to varied ends. While Republican job discourse was tacitly framed in terms of the concessions they wrested from the administration to “save jobs” in their districts (a tendency of the coverage, which will be thoroughly discussed through the progress and protection packages), Democrats framed their job discourse in a slightly more robust sense, extending the frame to include the discourse of labor rights, and the protection of workers.

But Democrats say that is not enough. Cafta, they say, needs to include explicit guarantees of the internationally recognized labor rights to organize unions and to prohibit child labor and discrimination in employment. Then, they say, increased trade would lead to better protection for jobs abroad and at home, and the benefits of globalization would be spread more evenly. (Becker, 2004, April 6)

Representative Hilda Solis, Democrat of California... said she opposed CAFTA because of NAFTA’s record, which she said included 750,000 jobs lost in the United States and little progress in improving workers’ rights in Mexico. (Becker, 2005, May 10)

Shouldn’t we be doing trade agreements with countries that have labor standards? Shouldn’t we decide on behalf of American workers that we care first and foremost about American workers? (Sen. Byron Dorgan, D-ND, Quoted in Andrews, 2005, July 1)

These trade agreements were written for investors in large American corporations. They weren’t written for American workers and they weren’t written to protect Central American children. (Sen. Sherrod Brown, D-OH, Quoted in Lacey, 2007, March 12)

The idea of labor standards, as expressed by Democrats, hints at an opening for alternative framing of CAFTA-DR as a tension between capital interests and workers interests, as Senator Brown’s comment suggests. While the Times chooses to
downplay this critique in favor of less substantive criticism leveled at political actors and processes, the coverage does provide some evidence of a capitalist critique that points to class based “benefits” of CAFTA-DR.

CAFTA protects the fundamental rights of businesses but not the labor rights of the citizens. (Antonio Aguilar Martinez, Deputy Ombudsman for Human Rights, El Salvador, Quoted in Becker, 2004, April 6)

It’s ridiculous that trade laws provide better protection for the label of a garment than the worker who sews it on. (Sergio Chavez, National Labor Committee, Quoted in Becker, 2004, April 6)

[These kinds of trade pacts] don’t give the same level of priority to human capital – immigration and labor rights – as they do to inanimate issues like property rights and goods and services (Julia Sweig, Council on Foreign Relations, Quoted in Becker, 2003, December 18)

Most opponents of the trade pact argue that it amounts to a dangerous precedent that would encourage companies to shift more production to countries that offer poverty-level wages and few worker protections. (Andrews, 2005, July 27)

“A voter walking down the street would never think of the pharmaceutical industry’s influence in another country through the U.S. trade representative,” said Mr. Brown, who has criticized how the industry and other corporate interests shaped the trade accord. (Saul, 2005, July 2)

Still, the Times does little to flesh out the “corporate interests” and how they shaped the accord, or to discuss how or why companies might move their production abroad. It does, however, allow the coverage to appear balanced – by giving voice to relatively caustic criticism – thus adding credibility to the Times’ position in support of CAFTA-DR. More importantly, this framing allows the Times to remove corporate interests and activities from the equation, thus closing any opening to critique the underlying neoliberal system of capital.

Perhaps indicative of the dominance of the neoliberal paradigm is the response of foreign government officials who, rather than demanding better
protection for the rights of their workers, instead take up the defense of their nations’ labor record, suggesting that the criticism is unfounded, or, at least, not substantial enough to derail such an important agreement as CAFTA-DR.

Miguel E. Lacayo, El Salvador’s economy minister and the country’s chief negotiator in the CAFTA talks, said his government was already taking steps to address labor rights abuses. (Romero, 2003, December 4)

People who are making criticisms about our labor conditions are mired in the past. (Luis Fernando Avelar Bermudez, Vice Minister of Labor, El Salvador, Quoted in Becker, 2004, April 6)

The human face of free trade agreements is new jobs. We have made the commitment to carry out our labor code and monitor to see its followed through. (Carmen Elena Calderon de Escalon, Senior Arena Deputy, El Salvador, Quoted in Becker, 2004, April 6)

Luis Fernando Avelar Bermudez, El Salvador’s vice minister of labor, said that the labor argument should not undermine the chances for passage of CAFTA either in the United States or El Salvador. The chance of open access to the world’s biggest economy, he said, is too important for his country’s future. (Becker, 2004, April 6)

This sentiment is reminiscent of the position set by the Editorial page – that while CAFTA-DR is “far from perfect,” a flawed CAFTA-DR is better than no CAFTA-DR at all. As part of this position, the Times continued to suggest that readers lower their expectations of what a trade agreement can or cannot do. According to the Times, CAFTA-DR cannot fix the environment or improve working conditions. It can, however, deliver on the terms illustrated above – enhanced competition, market access, and jobs – terms defined by, and largely serving, capitalist interests.

I’m concerned about environmental concerns in these countries, and the labor concerns in regard to these countries. But trade agreements are not the appropriate forum for addressing these issues. (Sen. Pat Roberts, R-KS, Quoted in Andrews, 2005, July 1)

[A letter from “prominent” Democrats] criticized Democratic arguments that the deal, called Cafta, does not include adequate provisions for labor rights in Central
America. "Perfect labor conditions mean little to a worker without a job," the letter said. (Porter, 2005, June 25)

"We're a developing country," said Hermann Peterson, [the auditor for Legumex, a company accused of labor abuses]. "We can't have the same conditions as factories in the United States." (Lacey, 2007, March 12)

In terms of the “labor” aspects of the jobs frame, Central American labor sources were represented more strongly in the Times’ coverage than North American labor sources, by a margin of 2 to 1. Similarly, the Central American sources were more concerned with the conditions brought about by CAFTA-DR (ie: asymmetrical/unfair competition and working conditions), while North American labor sources were more concerned with job loss, and making “sellout” Democrats who voted for CAFTA-DR pay at the polls (Confessore, 2005, August 8). This tendency reiterates two ways in which the Times’ coverage of CAFTA-DR obscured underlying issues of the agreement. First, it provides further evidence that the Times perceives labor rights as not an issue in the U.S., but rather a concern only in the Central American signatories; and second, it illustrates once again how the Times downplayed the agreement itself, choosing instead to emphasize the political “battle” over CAFTA-DR.
Democracy

In addition to the more rational, economic-oriented benefits of CAFTA-DR (competition, market access, and jobs), the *Times* also claimed more emotional, or ideological benefits, constructing CAFTA-DR as a tool to “promote Democracy” across Central America and the Dominican Republic.

Mr. Zoellick said that the new trade agreement could also lead to stronger democracy in the region. (Becker, 2004, January 26)

[Passage of CAFTA] would serve as ‘a signal of the U.S. commitment to democracy and prosperity for our neighbors.’ (President Bush, Quoted in NY Times, 2005, June 7)

With CAFTA, with the permanent engagement that free trades brings... we can demonstrate that the United States is committed to the success of all Latin American countries that embrace the challenge of Democracy. (Condoleezza Rice, U.S. Secretary of State, Quoted in Becker, 2005, May 10)

The discourse of democracy was voiced most strongly by the administration, followed by other government sources. It was also deployed solely in support of CAFTA-DR – a practice which was inverted in the Costa Rican discourse (specifically the oppositional discourse), which argued that CAFTA-DR violated Costa Rican sovereignty and subverted its democracy by demanding changes in the country’s legal code. In the *Times*’ discourse, however, CAFTA-DR was a means to make progress on democracy, and to protect its’ “high principle.” As such, this framing will be discussed yet again, when the qualitative interpretive packages are reported.

*Constructing CAFTA-DR: Tone as a Framing Mechanism*

In addition to desk assignment, sourcing, Editorial position, and the overall terms of the debate, journalists use linguistic tone to construct the discursive field of an issue. In the case of CAFTA-DR, the *NY Times* took a generally negative tone in its’
coverage. The term “opposition” or “oppose” appeared 83 times within the 53 articles analyzed, while the term “support” appeared only 47 times within the data set. Thus, the Times was 77% more likely to invoke a negative tone in relation to CAFTA-DR than a positive tone. Considering that “opposition” implies conflict and “support” implies consensus, the Times used a stylistic mechanism to emphasize conflict surrounding the free trade agreement.

As seen in Table 2.4, the NY Times constructed “opposition” as a function of political party.

<table>
<thead>
<tr>
<th></th>
<th>Democrats</th>
<th>Republicans</th>
<th>Total</th>
</tr>
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<tbody>
<tr>
<td>Opposition/Oppose</td>
<td>35</td>
<td>8</td>
<td>43</td>
</tr>
<tr>
<td>Support</td>
<td>7</td>
<td>5</td>
<td>12</td>
</tr>
</tbody>
</table>

Table 2.4: Number of references connecting Democrats and Republicans to positions of support or opposition to CAFTA-DR.

“Legions of Democrats” were described as “lining up in opposition” to CAFTA-DR (Editorial, 2005, July 25), and as such, Democrats were framed almost exclusively in relation to their opposition. The monolithic group – Democrats – was linked with negative sounding terms like “opposition,” “oppose,” and “opponents” 35 times in the Times’ coverage.

Democrats, including many who voted for much bigger trade agreements, are overwhelmingly opposed. (Andrews, 2005, July 27)

The trade deal, while certainly a symbolic victory for the administration’s economic philosophy at a time of growing protectionist pressures and hardening Democratic opposition, affects only a minuscule percentage of American exports. (Stevenson, 2005, July 29)

Of 202 Democrats, more than 130 have declared their opposition and only five have said they will support it. (Andrews, 2005, July 27)
On the other hand– Democrats – was linked to the more positive sounding term “support” only 7 times. This support, however, is downplayed – qualified as “sometimes” and reserved for “the few,” “influential, centrist” and “prominent” Democrats.

The few Democrats who do sometimes support free-trade pacts are waiting to see what they might be offered as the legislative equivalent of the ever-popular swing voters. (Editorial, 2004, November 24)

Last month the influential, centrist New Democrat Coalition of House lawmakers, usually pro-trade, came out against the deal. (Editorial, 2005, June 13)

A group of prominent Democrats have rallied in support of the Central American Free Trade Agreement, revealing a rift in the seemingly solid block of Democratic opposition to the deal signed last year by the Bush administration. (Porter, 2005, June 25)

Surprisingly little evidence was found of a corresponding monolith – Republicans – that was linked to “support.” Instead, Republicans, like Democrats, were more likely to be linked with the negative terms described above, even though 88% of House Republicans, and 78% of Senate Republicans ultimately voted in favor of the legislation. Of the 13 references to Republicans counted, 8 were linked with “opposition” and “oppose” while only 5 were linked with “support.”

The biggest opposition among Republicans came from textile producing states in the south, sugar-producing states like Louisiana and Idaho and old-line manufacturing states like Ohio and Pennsylvania. (Andrews, 2005, July 29)

Besides his immediate audience, Mr. Bush was aiming his words at House Republicans from textile country, whose opposition to the Central American Free Trade Agreement has prevented House Republican leaders from lining up a majority in favor of that pact. (Bumiller & Andrews, 2005, July 16)

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Despite intense pressure from Mr. Bush and from House leaders, fewer than half the Republicans have openly pledged their support. (Andrews, 2005, July 27)

Given that CAFTA-DR was negotiated by a Republican administration, the *Times* framed the lack of Republican support as somewhat surprising and breaking the lines of legitimate positions for Republican lawmakers.

Republicans who could normally be counted on to vote in favor of free trade are also defecting, forcing the administration to put off a Congressional vote until well into summer, and perhaps longer. (*NY Times*, 2005, June 7)

President Bush will make a rare trip to Capitol Hill on Wednesday, seeking to prevent Republican defections and a possible defeat of his Central American Free Trade Agreement, or CAFTA. (Andrews, 2005, July 27)

With all but a handful of Democrats planning to vote against Cafta, Mr. Bush needs to prevent Republican defections wherever possible. (Andrews, 2005, July 26)

But House leaders...are scrambling to prevent a rebellion among southern Republicans worried about textiles and sugar. (Bumiller & Andrews, 2005, July 16)

Mr. Bush and the House Republican leaders are struggling to line up enough votes amid overwhelming opposition from Democrats and rebellion among many Republicans. (Andrews, 2005, July 15)

Mr. Hayes, a Republican whose district in North Carolina has lost thousands of textile jobs in the last four years, had defied President Bush and House Republican leaders by voting against the Central American Free Trade Agreement, or Cafta. (Andrews, 2005, July 29)

In this way, Republican opposition was referred to as “defections,” a “rebellion,” or “defying,” more negative terms that call out the position against CAFTA-DR as contrary, somewhat unusual, and an affront to the Republican party line. Democratic opposition, on the other hand was framed as something to be expected, with Democrats regularly lumped together with labor and the sugar lobby to make up the “usual suspects” against free trade agreements (Editorial, 2004, November 24) or the “usual free-trade foes” (Editorial, 2005, July 25). This framing,
however, clearly forgets all the Democrats to voted for NAFTA in 1993. What was “unusual” about Democratic opposition was its nature – the Democrats were presenting a united front against CAFTA-DR.

Democrats are unusually united in their opposition... (Bumiller & Andrews, 2005, July 16)

Cafta faces unusually strong opposition from Democrats... (Becker, 2005, June 15)

Democrats, who are unusually united against Cafta, said they could still defeat the measure. (Becker, 2005, June 15)

Democrats are unusually united in their opposition to the pact with Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua and the Dominican Republic, and many cite the labor provisions as too weak. (Becker, 2005, June 8)

The current centerpiece of President Bush’s trade agenda, the Central American Free Trade Agreement, is facing unusually united Democratic opposition... (Becker, 2005, May 10)

This repetition conveys a tone of surprise, which implies a somewhat more sweeping and negative construction of the Democratic Party as typically splintered and fragmented.

On the whole, this construction of “opposition” to CAFTA-DR served the NY Times’ interests in several ways. First, by emphasizing the “opposition” the Times appears to be non-biased and critical, obscuring the strong similarity between the Times’ position/discourse and the administration’s position/discourse. Second, the Democrats’ position, constructed by the Times as “opposing,” is not really in “opposition” of free trade, just CAFTA-DR, which allows, once again, the underlying neoliberal model to escape criticism. Third, the Democrats’ position is presented as being “on the left” when they actually are not. This allows the Times to exclude the “real left” from the debate, yet still appear to be giving voice to the full spectrum of
political positions. Finally, by focusing on the surface conflict between a small number of Republicans, rather than the broader underlying consensus among the large majority of Republicans, the *Times* was able to shift the frame of CAFTA-DR away from the trade agreement itself and towards the political struggle of making CAFTA-DR happen.

In short, the “opposition” reported by the *Times* was largely aesthetic, and of little substance. Rather than serving as a critique of the underlying neoliberal model, it instead functioned as a status quo vehicle through which the dominance of neoliberalism not only remained untouched but also was reinforced. Further privileging the neoliberal position were the interpretive packages of progress and protection that the *Times* used to tell the more abstract, ideological story of CAFTA-DR.

*Making Sense of CAFTA-DR – Progress and Protection*

In addition to the more tangible, content analytic findings of the discursive field, the *Times* also relied on two key, qualitative “interpretive packages” to order the discourse and define CAFTA-DR as an issue for readers. According to the *Times*, CAFTA-DR is about making progress towards free trade, and the progress that free trade delivers – in terms of jobs, prosperity, and democracy. CAFTA-DR is also about protecting America’s leadership role in trade and its high principles, even if it means making CAFTA-DR happen through promises of protectionist measures against China, and for the sugar and textile industries. Together, progress and protection boil down to a “dogfight” over free trade, which, materialized through the *Times’* framing more in terms of the administration versus “anti-trade” Republicans
than in terms of Democrats versus Republicans. This amplifies the active processes of “choosing” free trade over protectionism, but never suggests an alternative to the neoliberal model.

In the sections that follow, the “Progress” and “Protection” packages will be thoroughly discussed, along with the frames that make CAFTA-DR mean something to readers. Given that frames can manifest themselves in a variety of ways, we will see that they tend to be fluid in the case of CAFTA-DR, at once expressing both support and opposition for the accord, and weaving themselves across packages. Also, the two packages are highly compatible, and somewhat overlapping. This serves to amplify their explanatory power in terms of constructing CAFTA-DR for readers.

**The Progress Package**

Given the context from which CAFTA-DR was born – as a younger sibling to the North American Free Trade Agreement (NAFTA), which generally failed to live up to its promises of generating better paying jobs and raising the standard of living for Mexicans (Palma, 2005; Schott, 2004; Wise, 2003; Cevallos, 2005); and as a “bastard child” born out of the failed initiative to create the larger, hemispheric Free Trade Agreement of the Americas (FTAA) – progress became a key theme in the *NY Times’* coverage of CAFTA-DR. Progress was constructed both functionally and ideologically to communicate the *NY Times’* position that neoliberal style free trade is something to be struggled for, and achieved. The first aspect of the progress package emphasizes trade as a means of progress – moving us forward and making
us better. The second aspect of progress is more literal, emphasizing the progress of the free trade agenda – moving towards free trade, and making free trade happen.

**Free Trade as Progress**

According to the *NY Times*, free trade represents progress in terms of making things better in both an economic and ideological sense. Economically, CAFTA-DR has the ability to increase exports, and thus decrease the United States trade deficit, while creating new jobs for American workers.

CAFTA would increase U.S. agricultural exports by $1.5 billion a year. (American Farm Bureau Federation, Quoted in Editorial, 2005, June 13 and Editorial, 2005, July 29)

CAFTA would add $1 billion a year to U.S. exports of manufactured goods. (National Association of Manufacturers, Quoted in Editorial, 2005, June 13 and Editorial, 2005, July 29)

In a statement distributed at yesterday’s event by his staff, Representative Meeks struck a cordial tone, saying that he believed Cafta would bring more jobs to his district. (Confessore, 2005, August 8)

Even with increases in terms of exports, the *Times* reported, in a rather matter of fact way, that the economic impact of CAFTA-DR would be “tiny,” “trivial,” and “negligible” (Forero, 2005, June 30; Malkin, 2006, March 2; Andrews, 2005, July 1; Becker, 2005, May 10). This point is echoed on the Editorial page, where the combined economies of the CAFTA-DR countries are said to be roughly equal in size to the economy of Connecticut (Editorial, 2005, May 31; Editorial, 2005, July 25).

In economic terms, the Central American trade pact will have a negligible impact on the United States. About 80 percent of the exports from those countries to the United States were already duty-free, and the total trade volumes are tiny: American exports to the six countries -- about $17 billion a year -- are about equal to the annual global exports of New Jersey. (Andrews, 2005, July 29)
But the economic impact on the United States would be trivial. Collectively, the six countries represent the United States' 13th largest trading partner. (Andrews, 2005, July 27)

On the one hand, the *NY Times* is consistent in constructing CAFTA-DR as “no big deal” – as evidenced by the lack of coverage reported earlier, along with an emphasis on the minimal economic benefits the accord would deliver to the U.S. On the other hand, the *Times* contends that CAFTA-DR is a very big deal, in broader terms of progress.

[A] vote for Cafta is about more than the $32 billion in trade between the United States and six tiny countries in Central America and the Caribbean. For Mr. Bush, the trade pact is crucial to a broader agenda of reducing global trade barriers. (Andrews, 2005, July 27)

Though the volume of trade involved is tiny in comparison to that with China or Europe, both Mr. Bush and his opponents have viewed the pact as a crucial touchstone to the broader challenges of globalization. (Andrews, 2005, July 1)

The pact with Central America would represent a tiny fraction of American trade, which reached $2.3 trillion last year. But it would have great symbolic weight in Latin America. (Forero, 2005, June 30)

Thus, the *NY Times* moves the discourse of CAFTA-DR as progress away from more concrete estimates of economic benefits and towards ideological definitions of CAFTA-DR. These ideological claims are harder to quantify and counter, thus giving opponents very little leverage in the debate.

Supporters of the trade pact said it was the principles at stake, a reaffirmation and an expansion of the much bigger North American Free Trade Agreement of 1994 that linked the United States, Mexico and Canada. (Andrews, 2005, July 29)

But Bush administration officials said the ultimate goal was one of high principle: an opening of the United States to greater competition and engagement with poorer countries in its own backyard, a liberation from trade barriers that would benefit Americans as well as their neighbors. (Andrews, 2005, July 29)
This principle, neoliberalism, is never called out by name, and is left largely unexplored and uninterrogated by the *Times*. That is, in stating, “a liberation from trade barriers would benefit Americans as well as their neighbors,” it seems that an explanation of how this “benefit” would materialize should follow. Instead, the *Times*’ follows with:

"This became much bigger than Cafta, because it became a political issue," said Rob Portman, the United States trade representative. "It was important to our position as the global leader on trade, so we had to fight back, and to fight back meant being very aggressive, explaining why it was good."(Andrews, 2005, July 29)

Thus, the *Times* turns its’ attention to the political struggle to impose CAFTA-DR, and never returns to the underlying system of neoliberal style free trade, which would be more useful in “explaining why [CAFTA-DR] was good” or bad. The story becomes more about “making CAFTA-DR happen” than about the workings of the agreement and how it might impact people and the environment in both the U.S. and in Central America. The idea of CAFTA-DR as progress shifts to making progress on free trade through CAFTA-DR.

*Making Progress on Trade*

According to the *Times*, making progress on CAFTA-DR is a struggle. The struggle, however, is not between competing visions of development or alternative trading systems, but solely a struggle to “push through” the neoliberal style free trade of CAFTA-DR as the only alternative. The struggle is made tangible through continual use of battlefield imagery that creates a dramatic backdrop against which the drama of CAFTA-DR is played out.
After a bitter and prolonged battle over the promises and perils of foreign trade, the Senate voted on Thursday to approve the Central American Free Trade Agreement. (Andrews, 2005, July 1)

Even with this top-level push, Cafta faces an uphill battle. (Becker, 2005, May 13)

But a deal for Central America is facing a bruising battle in Congress... (Forero, 2005, July 1)

After one of the hardest-fought legislative battles of the year, Republican leaders were able to cut enough political deals to overcome fears among many of their own members about foreign competition and push ahead despite opposition from most Democrats, labor unions and the sugar industry's powerful lobby. (Andrews, 2005, July 28)

In this way, free trade, according to the NY Times, is not simply something that happens, rather, it must be struggled for or achieved. In order to make free trade happen, there must be actors and activities that force progress on the issue. Both at home and in Central American, national presidents and members of ruling administrations were constructed as pro-CAFTA-DR forces, charged with making progress towards free trade, and “selling” the agreement to their countries. As a result of this framing, resistance to, and delay in the progress of CAFTA-DR can be written off as not a failure of CAFTA-DR, but rather a failure of those actors charged with “selling” the agreement.

President Bush charged into hostile territory on Friday to sell his Central American trade agreement, a pact that is unpopular here among textile workers and many mills that have been battered by foreign competition. (Bumiller & Andrews, 2005, July 16)

But President Bush needs to spend some political capital and sell this deal in these terms. (Friedman, 2005, June 24)

"Cafta can't be held captive to China or any other trade problem," said Commerce Secretary Carlos M. Gutierrez, who has been crisscrossing the country trying to sell the agreement since he took office in January. (Becker, 2005, May 10)
Mr. Portman, a moderate Republican, gets along well with the skeptical Democrats to whom he must now sell the virtues of free trade. (Editorial, 2005, March 31)

Central American presidents sold the agreement to their countries as a way to broaden access to the American market for the region's textile and agricultural exports and to attract much-needed foreign investment. But the details are proving a harder sell. (Malkin, 2006, March 2)

The administration has to get out and connect the dots for people. Otherwise, the vocal minority will trump the interests of the majority. (Richard Haass, Council on Foreign Relations, Quoted in Friedman, 2005, June 24)

Central American governments realized they “have to spend more political capital” to bring their laws into compliance with CAFTA. (Robert E. Schott, Economic Policy Institute, Quoted in Malkin, 2006, March 2)

This idea of “selling” CAFTA-DR both at home and abroad was also strongly present in the Costa Rican discourse, specifically in the mainstream newspaper, *La Nación*.

In the U.S., Republicans, the majority party during the CAFTA-DR process, were generally framed as the “makers” and/or “breakers” of progress in the “selling” of CAFTA-DR. These activities of Republicans reflect the nuances of the *Times'* construction – at once almost admiring Republican efforts to make CAFTA-DR happen (presented here as progress), yet also condemning the same efforts as contradictory to the neoliberal free trade model (presented in the following section as protectionism).

Congressional Republican leaders [had to] beg and bribe antitrade members of their party to make up for the legions of Democrats who are lining up in opposition. (Editorial, 2005, July 25)

House Republican leaders kept the voting open for almost a full hour, in violation of the normal 15-minute time limit. They spent much of that time wrestling with about 10 rebellious but “undecided” Republicans, pleading and pressuring one after another to vote for the agreement. (Andrews, 2005, July 29)
House leaders are dangling other incentives. They have threatened to delay a vote on a huge three-year highway-funding bill, which is packed with local projects, until after a vote on the trade pact. (Andrews, 2005, July 26)

White House officials and House Republican leaders are trying to pass the trade pact by the end of this week, sparing no effort to cut deals with reluctant party members. (Andrews, 2005, July 26)

Opponents of the trade pact said Republicans lured many lawmakers by earmarking billions of dollars for pet projects in a $286 billion highway spending bill. (Andrews, 2005, July 29)

If Republican leaders are privileged by the Times as the primary makers of progress, no leader is as privileged as President George Bush. U.S. President Bush was constructed as a sort of tragic hero, on whose shoulders the success or failure of CAFTA-DR rested. Early coverage created a dramatic foundation, one in which U.S. trade policy was frustrated and in essence, failing. Progress, was stalled.

That agenda has faltered on several fronts this year: global trade talks collapsed in Cancun, Mexico, in September; bilateral talks for trade agreements with Morocco and Australia have been delayed; and the agenda for a free-trade agreement for the Western Hemisphere had to be watered down to avoid a debacle. (Becker, 2003, December 18).

This is the third setback in trade talks this month for Robert B. Zoellick, the United States trade representative. His plans to sign a series of regional and bilateral agreements before the end of the year were thwarted when he missed the deadline for completing free trade agreements with Morocco and Australia. (Becker, 2003, December 17).

With record trade deficits, concerns about lost jobs and an overarching fear that the United States is losing out in the accelerated pace of global changes, the sentiment in Congress is shifting away from approving new free trade agreements. (Becker, 2005, May 10).

Against this backdrop, President Bush was constructed by the Times as if he were a Hollywood action hero – “charging into hostile territory” (Bumiller & Andrews, 2005, July 15) to “re-engage the region” (NY Times, 2005, June 7) and “sell” the agreement to the Central American countries. Similarly, Bush “stepped up pressure”
(NY Times, 2005, June 7) on resistant Democrats and Republicans alike, putting on a “masterly display of logrolling and arm twisting” (McKinley, 2005, August 21) to “coax” several Republicans to vote for CAFTA-DR “with promises of more trade protection for textile companies” (Andrews, 2005, July 26).

In these instances, the activity of “making deals” which was called out and admonished as “protectionism” by the Editorial desk, is presented as more neutral by the news desks, which constructs it as a necessary means to a desired ends. This is illustrated in the discourse, which gives voice to an administration and Republican leaders who draw distinctions between their own activities (which are not “protectionist”) and complaints against CAFTA-DR (which are “protectionist”).

The administration views such talk as protectionism and says Cafta will increase American exports of manufactured goods and agricultural products. The agreement would eventually eliminate or cut tariffs on American exports to the region while making permanent the tariff-free status of the Cafta countries. (Becker, 2005, May 13)

The administration characterizes most of these complaints as protectionism and hopes that Rob Portman, the new United States trade representative and a popular former member of Congress, will be able to smooth the debate and win votes to its side. (Becker, 2005, May 10)

"Tonight, we have the opportunity to be the progressive, aggressive good-neighbor party," said Representative Bill Thomas, Republican of California and chairman of the House Ways and Means Committee. "We will not be the ones who say for 40 years that we want to help and then heel to the protectionist movement.” (Andrews, 2005, July 28)

As such, pro-CAFTA-DR actors are framed more positively than anti-CAFTA-DR actors. The United States, regardless of its’ tactics, keeps the progress towards free trade moving while trade partners and opponents are described as impeding progress by “balking” at agreements (Becker, 2003, December 17; Andrews, 2005, July 1), “delaying” their passage and implementation (Becker, 2003, December 17;
Malkin, 2006, March 2; Becker, 2004, January 26) and “frustrating” Washington’s “hard won victory” (Malkin, 2006, March 2).

With big nations like Brazil and Argentina firmly opposed to the plan, the United States has redirected its efforts in the last two years from creating a trade bloc spanning 34 nations to instead negotiating with a handful of smaller, more compliant countries in Central America and the Andes. (Forero, 2005, June 30)

If trade partners and CAFTA-DR opponents are unwilling to come around to the agreement, then it is up to the Administration and Republican leaders, to make progress on trade by appealing to the protection CAFTA-DR can provide, and if the discourse of protection is not enough, by offering protectionist measures aimed most specifically at anti-CAFTA Republicans. Protection and protectionism, while easily confused as one and the same, are very different ways in which the Times constructed the victory of the Bush administration in pushing through CAFTA-DR. Both come to bear on the second interpretive package, CAFTA-DR as protection.

The Protection Package

The distinction between protectionism and protection is important, as the Times roundly rejects the former while embracing the latter. Within this context, the second interpretive package – Protection – became evident. Free trade was constructed as “protecting” our way of life or, the “principles” alluded to as the “progress” of free trade. More specifically, CAFTA-DR protects us from unfair competition by “leveling the playing field” and thus helping American workers, farmers, and producers (Becker, 2004, March 16; Andrews, 2005, July 28; Becker, 2005, June 8).
As discussed earlier, the NY Times constructed China as the manufacturer of the unlevel playing field, and the cause of much of the malaise towards passing another free trade agreement.

Looming behind much of that [negative] sentiment [towards CAFTA-DR] is China, which already has the largest trade surplus with the United States of any country and is on track to break last year's record of $162 billion. (Andrews, 2005, July 25)

But much of the political hostility to any free trade agreement stems from concerns about China, which has a huge and growing trade surplus with the United States (Andrews, 2005, July 15)

But [CAFTA’S] prospects for moving forward have been soured by larger questions about China’s enormous economic power and whether it is playing by the rules of trade in protecting intellectual property rights, valuing its currency and calibrating the tide of its textile exports. (Becker, 2005, May 10)

With China constructed as a threat to American prosperity in terms of jobs, the trade deficit, and intellectual property, proponents positioned CAFTA-DR as a means of protection from the China threat. This type of “news” framing appears to follow directly from the Editorial assertion that China is “sucking up textile manufacturing jobs” (Editorials, 2005, March 31 & June 13) and that CAFTA-DR would be “critical for enabling the U.S. and Central American textile firms to compete with China” (Friedman, 2005, June 24).

The agreement is also intended to create something of a regional textile free trade area and prepare the United States and Central America for competition from China next year, when all global textile quotas are lifted. (Becker, 2004, March 16)

It will also help prepare the domestic textile industry for stiff international competition next year, they said, when the global textile quota system is eliminated under an international trading agreement. China and other Asian nations, with their lower labor costs, are especially feared. (Becker, 2004, January 26)

The industry is facing stiff competition from China and other nations, Mr. Zoellick said, and the agreement will help “to prepare for an increasingly competitive
global market.” (Becker, 2003, December 18)

As mentioned earlier, the *Times* described CAFTA-DR as providing minimal economic benefits, however, the ideological stakes were much larger. As a result, the administration and Republican leaders were so intent on making progress towards free trade, that they were willing to "twist some Republican arms until they break in a thousand pieces" (Andrews, 2005, July 27) to make CAFTA-DR happen; "failure [was] not an option" (Andrews, 2005, July 27). So, in addition to the discourse of progress and protection used to sell the agreement, the Administration traded “protection” for “protectionism,” using China as one fulcrum against which to twist those Republican arms. By taking protectionist measures and responding to “anti-CAFTA-DR” Republicans’ demands in relation to the China threat, sugar, and textiles, the Bush Administration was successful in its push to make CAFTA-DR happen.

Mr. Thomas made it clear on Thursday that the China bill was tied to his efforts to approve Cafta before Congress adjourned in August. (Andrews, 2005, July 15)

Senator Chambliss said that even though his state is home to global companies like Coca-Cola, United Parcel Service and Georgia Pacific, he could no longer support bilateral trade agreements without being assured that "American industries and workers are truly benefiting from these agreements." (Saxby Chambliss, R-GA, Quoted in Becker, 2005, May 10)

Senator Craig Thomas, Republican of Wyoming and a member of the Senate Finance Committee, warned on Tuesday that he would vote against the treaty if there was no deal. (Andrews, 2005, June 29)
"There are a lot of us out there who are concerned about Cafta because of broader concerns rather than about its specific content," Mr. English said. "My view now is that [with protections in place against China] Cafta is fine." (Andrews, 2005, July 15)

On Wednesday, Mr. Barrett said that he was persuaded that with the new restrictions, the trade pact would prevent job loss to China. (Andrews, 2005, July 28)

"Up until two days ago, I looked at Cafta and thought it would do more harm," said Senator Norm Coleman, Republican of Minnesota who had been demanding more protection for sugar producers. (Andrews, 2005, July 1)

"With those three corrections [in terms of textiles protection], this Cafta is now a much better Cafta," Mr. Inglis told reporters on Monday. (Andrews, 2005, July 26)

In crossing over into “protectionism,” the Administration backed away from strong neoliberalism – which calls for removal of all barriers to trade, and requires adherence to a strict market based model. As such, the Times’ true critique of CAFTA-DR is drawn into focus. The critique, and opposition to CAFTA-DR, as voiced by the Times, was that it was not neoliberal enough. This critique, however, was voiced much louder on the Editorial page, which, although “applauding” the passage of CAFTA-DR, referred to the agreement as “serv[ing] up free trade with an asterisk” (Editorial, 2003, December 22). As discussed in the previous package, progress, the protectionist deals of the administration were constructed in a less charged fashion, more or less as just a strategy to make CAFTA-DR happen. The linguistic choices of the news desk still orient “protections” towards the negative, however, suggesting that protections can at once bring progress towards free trade, and at the same time water down the intents/effects of neoliberal free trade models.
But a deal for Central America is facing a bruising battle in Congress and, if approved, may be watered down by concessions to American sugar growers worried about cheap imports. (Forero, 2005, June 5)

In keeping free trade moving forward – even “watered down” free trade – the United States is struggling for much more than economic return. Part of the importance of CAFTA-DR to the Bush Administration was, as seen in the discussion of the progress package, that CAFTA-DR was needed to protect the leadership position of the U.S. in trade negotiating. If the U.S. failed to pass CAFTA-DR, it would lose credibility in negotiating future free trade deals, and jeopardize the broader agenda of free trade on a global level.

If this agreement goes down, it will signal to the rest of the world that America’s leadership role in trade is being abdicated. (Andrews, July 1, 2005)

White House officials say that if he were to lose this vote, the credibility of the United States in global trade negotiations would be destroyed and free trade would suffer a major setback. (Andrews, 2005, July 27)

In many ways, the Times’ discourse of protection was synonymous with the discourse of progress, in terms of privileging the neoliberal free trade model, yet criticizing CAFTA-DR. As just reported, the Times demands that “America’s leadership role in trade” be protected, therefore valuing leadership in trade (a capital generated, and capital benefiting activity) over leadership in other areas. Similarly, the Times emphasizes the progress of the American model as its “high principles” “lifts” impoverished nations to higher levels of development. To distinguish that which is relatively interwoven – the leadership role of the U.S. must be protected while the “high principles” that underpin that leadership must be made to, or make, progress. The true nature of these “high principles” is obscured by the
Times, which amplifies the discourse of “democracy,” mutes the discourse of the “free market,” and keeps reference to “neoliberalism” all but silent.

The statement [from prominent Democrats] argued that the agreement would reduce the nation’s trade deficit and support the consolidation of democracy in Central America and the Caribbean. (Porter, 2005, June 25)

Passage [of CAFTA-DR] would serve as "a signal of the U.S. commitment to democracy and prosperity for our neighbors."... Bush praised the agreement and spoke of the virtues of freedom and democracy (NY Times, 2005, June 7)

Mr. Bush praised the economic pact with Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras and Nicaragua as essential not only to expanding trade among free markets but also in strengthening democracy and security in the Western Hemisphere. (Becker, 2005, May 13)

The administration accuses the Democrats and other opponents of putting too much on the back of this trade deal, which would reduce tariffs for many American goods and, the White House says, improve the chances for democracy and free market economics in Latin America (Becker, 2005, May 10)

Mr. Zoellick asserted that "opportunism and economic isolationism" were being used to attack efforts to promote democracy in Latin America. (AP, 2004, May 29)

The idea of “U.S. as world leader” is interesting in many other ways, as the areas most passionately called for by the Times – leadership in neoliberal free trade, leadership in intellectual property, and leadership vis-à-vis global competition from China – are those areas that benefit capital rather than public interests. Leadership in terms of protection of workers rights, more general human rights, and/or the environment are either absent from the discourse or are voiced as sidebars to the dramatic battle to push CAFTA-DR through Congress. This may be a symptom of the limited discursive field that was dominated by the Business/Financial Desk, and an Editorial position whose main criticism of CAFTA-DR was that it was not neoliberal enough. It is also indicative of the much larger political economy of the mass media, which tend to privilege the interests of corporate power brokers over others, and
indicates once more how the discourse of CAFTA-DR took a critical stance towards that agreement, yet served to reinforce the underlying hegemony of neoliberalism.

**Conclusions**

Political economists have long argued that the increasing consolidation and corporatization of the media has created a contradictory environment in which transnational, profit seeking media organizations are charged with reporting the news and informing the public (McChesney, 1997; 1999; Bagdikian, 2004; Cohen, 1997). CAFTA-DR has provided an excellent case study for this perspective. Given that the transnational media have something at stake in CAFTA-DR – specifically much stronger intellectual property protections – how will their news organizations construct the free trade agreement?

Block & McSherry (2007) found that CAFTA-DR was the most commonly listed bill in lobbying disclosures for 2005/2006, with 18 media companies “funneling” money to support passage of the bill. Within this context, it is not surprising that the Center for Economic and Policy Research found that newspaper editorials have voiced almost unanimous support for CAFTA-DR (Block & McSherry, 2007). The impact of profit seeking is just one explanation of the tenor of the coverage, which would be supported by Herman & Chomsky’s (1988) “propaganda model” that suggests the size, ownership, and profit orientation of the media shapes the news it produces. Perhaps more salient given the data presented through this analysis, however, are arguments by news theorists such as Tuchman (1978) and Gans (1980), among others, is that the organizational structure and routines of news-work further predict the finished product of the news. This explanation can
be seen in the limited discursive field, tone, and sources through which the *Times* constructed the story of CAFTA-DR.

The Business/Financial desk dominated the coverage, while governmental sources were relied on most heavily. The most distinguishing aspect of the coverage, however, was the overwhelmingly negative tone – through which opposition and opponents were invoked much more frequently than support and supporters. This is most clearly seen through the emphasis on Republican “defections” and opposition – even though 88% of House and 78% of Senate Republicans ultimately voted in favor of the agreement. In its construction, the *Times* clearly chose to focus on the “visible conflict, not the deep consensus” (Gitlin, 1979, p. 24), highlighting the story of CAFTA-DR as a “struggle” rather than explaining the actual workings of the agreement (ie: the underlying neoliberal principles). This struggle was communicated through the imagery of the battlefield, and constructed as a two front battle: one between the Bush Administration and “defecting” Republicans; and the second between the U.S. and the rest of the world. It was through this struggle that the progress of free trade could be spread; that progress could be made on free trade; and that free trade could protect America’s high principles (ie: neoliberal policy masked through the discourse of democracy).

While the idea of a “struggle” suggests opposing forces or positions, the *Times* offered the neoliberalism of CAFTA-DR as the only possibility for free trade. Thus, the struggle was solely one of pushing through the neoliberal free trade model. This supports the findings of Rosen (2008), who found, also, that the *NY Times* provided no alternatives to the neoliberal model. “People” centered free
trade models such as Chavez’s ALBA were left out of the discourse in favor of the “capital” centered neoliberal model of CAFTA-DR. On the pages of the *Times*, the more general term, “free trade,” is used synonymously with CAFTA-DR, so as CAFTA-DR is defined as free trade, and free trade is defined as CAFTA-DR. As such, a circular reference is presented, where a more in depth definition and explanation is needed. This illustrates how the *Times*’ coverage privileged the position from above (neoliberalism), marginalized the position from below (“socialism for the 21st century”), and left the middle position completely out of the equation. There was no real discussion of the Costa Rican, or Central American position save for the handful of articles that focused on the issue of labor rights/working conditions. This also illustrates how, in line with Hall (1982), the opposition is forced to argue not on its own terms, but the terms set by those in power.

What is most dangerous about the *Times*’ construction of CAFTA-DR as the only position on free trade is that it silences alternatives that may prove to be equally, or more beneficial, to the United States as well as its neighbors. Take, for example, the case of El Salvador as characterized by the *Times*:

With a national budget of less than $3 billion, El Salvador survives on the $2 billion sent home every year in remittances from compatriots working in the United States. In such an economy, improving trade is considered critical. (Becker, April 6, 2004)

Clearly, free trade (a neoliberal principle of globalization) is posited as the cure for El Salvador’s economic ailment. What about governmental aid? What about developmental aid from international organizations or other non-governmental sources? What about loosening immigration restrictions so that more workers can legally enter the United States and therefore increase their remittances home? In
the 53 articles reviewed, immigration was mentioned only twice – both negatively – while other options for development were not mentioned at all.

The lack of articulated options for development not only further illustrates the notion of hegemony (Gitlin, 1979) – that those in power define the terms of society – but also supports the somewhat simplistic argument that the mass media is simply a megaphone for ruling class interests (Winter, 1990; Wasburn, 2002), which, necessarily, are congruent with the interests of capital (McChesney, 1997; 1999; Herman & Chomsky, 1988). Given that the success of a news outlet relies in large part on its ability to attract audiences, and that audiences demand “credible” news reporting, news organizations such as the Times, cannot blatantly be used simply as a “megaphone” for the ruling elites. Rather, as others would argue (Tuchman, 1978; Gans 1980; Gitlin, 1979) the media operate as organizations, with professional practices and routines that tend to privilege the existing power structure. Thus, the news is neither a product of active bias, nor simple economic determinism. It does not result from “plots, conspiracies, ‘selling out’ or even ideological communalities” (Molotch & Lester, 1974) but instead emerges from a “deep level of common sense” (Gitlin, 1979) in a nuanced way. Critique and criticism of governmental policy is given voice, but only on the terms of, or within the realm of “legitimate controversy” (Goss, 2001) defined by the power brokers who, in the case of CAFTA-DR were overwhelmingly members of the governing elite both in the U.S. and abroad.

The “debate,” therefore, is played out on a manufactured playing field, that is constructed by the most powerful actors in ways that serve their own interests. By
setting the terms of the debate – in this case, CAFTA-DR as an issue of market access, competition, and jobs – the expression of alternatives is virtually silenced.

Opposing arguments are easy to mount. Changing the terms of an argument is exceedingly difficult, since the dominant definition of the problem acquires, by repetition, and by the weight and credibility of those who propose or subscribe to it, the warrant of ‘common sense.’ (Hall, 1982, p.81)

Within these terms, the role of capital in terms of “pushing” through neoliberal free trade is obscured by the *Times*. The coverage privileges politicians and government leaders as the key actors in the struggle for CAFTA-DR, while the interests of capital, and its need for endless accumulation, go unexpressed and unexplored.

This point becomes salient in the framing of jobs as “migrating” to lower wage countries such as China. Job loss as a “natural” process of migration obscures the fact that job relocation is a conscious choice made by transnational corporations looking to increase profits and accumulate more capital. By deemphasizing the role of capital, the *Times* fails at informing the public in terms of the interests that operate below the surface of neoliberal free trade. This is one way in which the news media is complicit in making “corporate” interests synonymous with “national” interests and conflating “national” interests with “public” interests so that larger segments of society believe that what is good for corporate America is good for me. The fundamental question of “interests” will become a common thread in the critique that will build across the next few chapters. In the Costa Rican press, for instance, CAFTA-DR, and the public referendum that ultimately decided the fate of the agreement was constructed, again, as a struggle between definitions of not only “national” interests, but also national identity.
References


Chapter 3

CAFTA-DR in Costa Rica: Historical Perspective, Media Environment & Method of Analysis

Over 20 years ago, Margaret Thatcher declared that "there is no alternative" to a capitalist economic structure, and that neoliberalism was the only policy choice to manage the quickly emerging global economy. Somewhat akin to an even more famous proclamation – "let them eat cake" – TINA, as Thatcher's mantra became known, promised prosperity for all. This sentiment, however, flies in the face of the over 400 million chronically poor people living in the world today38 who have been left behind by neoliberal policies and are in clear need of an alternative to help them break free from the poverty trap in which they are caught.

Despite the rhetoric of TINA, and its amplification through the global media, the swelling gap between rich and poor has become too much to ignore, and provides too much evidence that neoliberal policy is failing much of the world’s population. If "there is no alternative," then alternatives need to be generated.

Nowhere has this line of thinking been better applied than in the area of international trade, manifesting itself through resistance at both the global (versus the WTO), and regional (versus more specific FTA’s such as CAFTA-DR) levels. For instance, as reported earlier, the Group of 22 (G22) developing countries – led by Brazilian President Lula, along with leaders from China, India, and South Africa –

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38 The 400 million figure was estimated from the Chronic Poverty Report 2008-2009, which reported that “between 320 and 443 million people” were trapped in poverty that lasts for many years, if not their entire lifetime. Note that the report stresses “chronic” or enduring poverty, which further illustrates the inability of neoliberalism to “lift all boats” as suggested by Friedman, 2000; Bhagwati, 2001; Mejia-Vergnaud, 2004; Suter, 2004. The Report was retrieved on May 10, 2009 via: http://www.chronicpoverty.org/pubfiles/Summary_web_version.pdf
derailed the DOHA round of WTO negotiations in Cancun in 2003. The G22 brought into focus power asymmetries that allowed developed countries to maintain agricultural subsidies that distorted “free trade,” yet mandated that developing nations “deregulate” their own trade policies, and remove import protections. Continued conflict over this same issue led to a similar “derailment” at the July 2008 DOHA round trade talks in Geneva, leading the NY Times to proclaim, “After 7 Years, Trade Talks Collapse” (Castle & Landler, 2008).

After the original DOHA failure in 2003, the U.S. felt effectively stymied at the global level, and turned its attention to a slightly smaller stage – to the hemispheric trade initiative, the Free Trade Area of the America’s. Once again, TINA was challenged. In this case it was the MERCOSUR countries – Argentina, Brazil, Paraguay, Uruguay – in addition to the then autonomous Venezuela – who voted not to move forward with negotiations for the FTAA at the Organization of American States (OAS) fourth Summit of the Americas in 2005 (COHA, 2006). With somewhat powerful adversaries in Lula & Chavez, who had had success in stalling the U.S.’s push to make real the claims of TINA, the U.S. had to further “water down” its free trade initiatives and chose to focus on “smaller, more compliant nations,” such as those included in CAFTA-DR.

Negotiations for a Central American-U.S. free trade agreement began on January 8, 2003 between the United States, Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua. Less than one year later, on December 17, 2003, all negotiating parties – with the exception of Costa Rica – agreed upon the text of CAFTA. After a delay of just over one month, Costa Rica signed on to CAFTA, and
then the real test to U.S. hegemony began, as Central American Presidents were left with the task of returning home and “selling” CAFTA-DR to their people. This task was by no means easy, and every nation saw resistance of some degree to CAFTA-DR. The “selling” of CAFTA-DR back home quickly became “pushing” CAFTA-DR through legislative bodies, regardless of the democratic process.

For instance, despite promising to hold sessions with civil society, the Honduran government ratified CAFTA-DR in a special, closed session of the legislature, five days before the scheduled meeting with social organizations, in order to avoid protests (Stop CAFTA Coalition, 2006, p. 16). In El Salvador, the ruling ARENA party bypassed the 2/3 majority needed to pass an international agreement – as stipulated by the constitution – and accepted a simple majority to pass CAFTA-DR through the legislature. The agreement and the ratification process was so contested in El Salvador, that ratification occurred at 3 o’clock in the morning, with riot police surrounding the National Assembly (Stop CAFTA Coalition, 2006). In Guatemala, amid charges that the negotiations had taken place in secret, tens of thousands of protesters took to the streets to demand a public referendum on the agreement after CAFTA-DR was signed in 2005. The government unleashed the military on the protesters, and two were killed. Thus we see how the more brutal and repressive governments in these nations were able to overcome the strong resistance to CAFTA-DR.

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39 This idea of “selling” the agreement to the people was explored, in part, in the previous chapter. The NY Times adopted this type of language when discussing the ratification process of the agreement. That Presidents needed to “sell” the agreement back home, it suggests that the agreement may not be equally beneficial to all citizens, and points to the competing interests (capital vs. public) that stand on opposite polls in terms of supporting or rejecting CAFTA-DR.
Costa Rica’s democratic tradition, along with a less extreme income gap, created an easier playing field upon which the Costa Rican movement against CAFTA-DR emerged and acted. Over the almost five year struggle against CAFTA-DR, the resistance movement grew in size, solidarity, and became more efficiently coordinated, an evolution which played a role in the decision to hold a public referendum on the agreement. The October 7, 2007 national referendum was the first national referendum, anywhere in the world, on a trade agreement (Dickerson, 2007, October 8). Even after the victory for the CAFTA-DR legislation on October 7th, resistance to CAFTA-DR continued in the legislature, and delays on the road to implementation persisted. It wasn’t until November of 2008 that the Costa Rican legislature approved the last legal changes – in terms of intellectual property law – needed to gain formal entry into CAFTA-DR. CAFTA-DR finally went into effect in Costa Rica on January 1, 2009 (Schwab, 2008, December 23), almost 3 years after the first CAFTA-DR country, El Salvador, ascended into the agreement. Given the success of the Costa Rican resistance in effecting the CAFTA-DR process, along with the deep history of social movements in the country, the current analysis takes Costa Rica as a case study for understanding how pressures from above, and pressures from below come to bear on the “news oriented” and “campaign oriented” discourse of CAFTA-DR.

In order to understand how CAFTA-DR was understood and represented in Costa Rica, I investigated the history of the nation and the nature of the media system, and conducted a frame analysis of the mainstream and independent “news oriented” discourse, along with the “campaign oriented” discourse of groups
working for and against the passage of CAFTA-DR. In the sections that follow, we will see how the unique history of Costa Rica, as a relatively peaceful, strong social state created both a fertile environment in which social movements were allowed to grow, and also an institutional structure that was, generally, responsive to the demands/concerns of such movements. In the case of CAFTA-DR, the rhetoric from both above and below coalesced around legitimacy and authenticity, with each camp drawing heavily on nationalist discourse as it struggled to impose its own definition of “who” Costa Rica is, and “what” Costa Rican interests are. As others have noted, nationalist discourse functions through largely emotional appeals to “awaken, recover, or promote... the common history, culture, territory, and language of the nation” (Guibernau, 1999, p. 93) while at the same time obscuring class differences “by constructing the public as members of a nation who share a common interest with the capitalist class” (Kumar, 2007, p. 64). These issues of class, legitimacy, and authenticity underpin both the resistance to CAFTA-DR and the mainstream news framing of the agreement.

A Brief History of Costa Rica

In relation to the rest of Central America, Costa Rica has had a relatively peaceful modern history marked by a strong social contract between the government and the people, along with a rich democratic tradition and a relatively egalitarian distribution of wealth (Booth, Wade & Walker, 2006; Coatsworth, 1994). Costa Rica owes this experience to its unique ability to operate both within and against the Central American client system imposed by the United States. Fundamental to this success in navigating the client system that tethered its Central
American neighbors to the United States was Costa Rica’s management of both its coffee export and banana trade in the 19th century.

Specifically, dictator/president Braulio Carillo (1835-1842) increased the number of small farmers by distributing municipal land to inhabitants (Booth, Wade & Walker, 2006). This created a class of small holding yeoman farmers, which, when coupled with a labor shortage in the late 19th century that kept coffee production wages high, “prevented total domination of Costa Rican national politics by a landed oligarchy” (p. 54) and allowed “Costa Rican peasants and workers to experience less exploitation and repression than found elsewhere in Central America” (p. 55). In addition, unlike neighboring countries with large indigenous populations, Costa Rica’s relatively homogenous racial makeup contributed to the more egalitarian distribution of resources. For instance, when U.S. companies established banana plantations on the Caribbean coast in the late 19th century, “the Costa Rican government imposed an export tariff” and, unlike its neighbors, used the proceeds to establish public services and infrastructure, rather than to offset the tax burden on foreign producers (Coatsworth, 1994, p. 30).

Contemporary Costa Rican history is dominated by the events surrounding the Civil War of 1948, which are credited with creating the Costa Rica we know today. The United States lent its support to José María Figueres Ferrer, a once exiled anti-communist. While the U.S. involvement was more passive than aggressive – the U.S. simply pressured the Somoza regime of Nicaragua not to lend supplies of arms to the Costa Rican national army – it was effective nonetheless in bringing Figueres’ forces to victory and Figueres himself to the office of provisional President. By all
accounts, Figueres was a contradiction. He appeased the United States and gained its favor by taking a hard line against communism, but at the same time he gained popular appeal by nationalizing the banking system, imposing a temporary tax of 10% on the wealthiest citizens, initiating a package of social programs that were insulated from the electoral process, and disbanding the army (Coatsworth, 1994). This last action – disbanding the army – provided the justification for increasing U.S. intervention in the region, but at the same time it prevented military governments from taking hold in Costa Rica, and thus ushered in the long democratic tradition the nation enjoys still today.

While Costa Rica has long been referred to as the most highly developed Central American country, there is some debate as to the nature and tenor of this development. For instance, contemporary theories, such as Amartya Sen’s Capabilities Approach, suggest that the expansion of freedom is both the primary end, and principal means of development (Sen, 1999, p. 36), and, that “political participation and dissent are constitutive parts of development itself.” Thus, Sen emphasizes the role of popular participation as a marker of development. Deneulin (2005) applies Sen’s theory to Costa Rica specifically, and argues that Costa Rican “social” development occurred not in response to public action, but was rather driven by the beliefs and values of the elites in power. This argument – that development is driven by the needs of the needs of the elites – conjures the

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40 Shortly after Figueres won control over Costa Rica, past President Calderon, who had taken flight to Nicaragua, began to suggest that he would launch an attempt to regain control of the country. In response, Figueres disbanded the army. With no army to fight off the impending attack, Figueres appealed to the Rio Treaty of the Organization of American States, providing a legal basis for U.S. intervention in the region (Coatsworth, 1994).
collective good as a byproduct of the individual good elites (ie: capital) pursue for themselves. This discourse is reminiscent of the rhetoric of neoliberalism discussed in Chapter 1.

The distinction between the popular and the elite plays itself out in the case of CAFTA-DR in Costa Rica. Not only is the participation of each valued differently by different media sources (mainstream versus independent), the deliberative process of CAFTA-DR in terms of support/opposition, typically breaks along class lines. Sen’s theory is somewhat supported by the case of CAFTA-DR, given the strong popular resistance against the pact in Costa Rica. The mainstream newspaper, La Nación, constructed the resistance as coalescing around more institutional and elite leaders such as Otton Solis of the Citizen’s Action Party (Partido Acción Ciudadana – PAC), and Eugenio Trejos, the Director of the Technological Institute of Costa Rica (Instituto Tecnológico de Costa Rica – ITCR) and “president” of the National Front Supporting the Struggle Against CAFTA-DR (Frente Nacional de Apoyo a la Lucha contra el Tratado). Yet still, the “rank and file” of the resistance were average citizens who, as members of workers’ unions, members of patriotic committees, as students, etc..., took up the cause against CAFTA-DR, and succeeded in slowing the progress of the agreement. It is worth noting, a bit more generally, the culture of resistance and activism that seems to have been cultivated throughout Costa Rica’s history, which suggests that Deneulin’s (2005) overlooks the ability of social action to effect and shape the national agenda. A selected sample of popular resistance movements in Costa Rica follows, which,
A Culture of Resistance: Social Movements in Costa Rica

Costa Rica is a nation with deep roots in terms of social movements and popular resistance. Perhaps the first instance of citizen action can be traced as far back as 1889, when citizens took to the streets to force the military government to concede the presidency, which had been won by José J. Rodríguez, the candidate from the oppositional Catholic Union Party, through a democratic election (Booth, Wade, & Walker, 2006). The movement was successful in getting the army to back down, and at once reflected and reified Costa Rican’s unwavering dedication to democracy. That dedication was challenged again, in 1919, when popular protest (along with invasion by exiled elites) ousted the Tinoco regime, making it the last military government in Costa Rican history (Booth, Wade, & Walker, 2006). In more contemporary history, Booth, Wade, & Walker (2006) report that Costa Rica saw civil disturbances in relation to land title reform in the 1970’s, and a collection of banana workers’ strikes from 1979-1982 (p.61). These examples reflect the growing peasant mobilization in rural areas against economic policies that threatened their ability to survive as small farmers and privileged the interests of larger elite corporate farmers. In short, they were mobilizing against what would become neoliberalism.

Facing the economic challenges of the oil crisis, and what would become a protracted bloody revolution/counter-revolution in neighboring Nicaragua, Costa Rica was one of the first countries in the region to enact structural adjustment
policies in the early 1980’s. Subsequently, many of the most notable popular movements emerged around issues related to the neoliberal policies that were brought to Costa Rica during presidency of Alberto Monge (1982-1986) and that have continued, albeit at a slower pace than much of Central and Latin America, through 2009. As neoliberal policy deepened and advanced, so did the popular response, noted by Edelman (2005) in terms of the number of new unions or associations organizing across Costa Rica, specifically in rural areas. Four new organizations were created between 1970 and 1978, while that number more than doubled during the next three-year period – ten new organizations were born between 1979 and 1982. With the economic situation in Costa Rica worsening, and more formal policies of neoliberalism emerging, peasant response exploded. The nation saw the formation of 126 new organizations during the period from 1983-1990 (Edelman, 2005, p.199).

It didn’t take long for the small and medium rural agrarian producers to realize that survival under neoliberal conditions called for solidarity and a united effort. Earliest efforts of organization in the mid to late-1970’s, the Federación Sindical Agraria Nacional (FESIAN), and the Federación Nacional Campesina (FENAC) struggled largely for land reform. In 1978, mostly corn producers united to form the Unión de Pequeños Agricultores de la Región Atlántica (UPAGRA) as a means to struggle for a broader set of goals. First and foremost were the continuation of the peasant way of life, and a more equitable distribution of wealth,

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41 Given Costa Rica’s size, it is often overlooked in the early history of neoliberalism. It was among the first, along with the more noted examples of Chile and Mexico, to enact neoliberal policies. Also, it was the first Latin American country to default on its debt, in 1982. (See: Edelman, 2005).
along with more production based demands, such as the right to own land, the right to produce, and the right to receive a fair price for their output (Vunderkind, 1990). In 1981, the Unión Nacional de Pequeños y Medianos Productores Agropecuarios (UPANACIONAL) was created as a means to collectively bargain with the government for lower fertilizer prices, and both better access to, and better terms for, credit (Edelman, 2005; Vunderlink, 1990). By 1984, UPANACIONAL members numbered 12,000 (Edelman, 2005) and at its height, membership reached upwards of 22,000 (Vunderlink, 1990).

Having found local and regional action to be relatively inconsequential in terms of effecting policy change, small and medium producers forged a link with large producers in 1988 to create the Unión Nacional de Sector Agropecuario (UNSA) as a means to generate awareness and recognition of the “economic crisis” that was devastating the rural areas of the nation. UNSA provided the small and medium producers with a forum through which to negotiate with the government. The union presented an analysis to the government that called for policies that supported self-sufficiency in basic grains, that would establish a single agency to dictate agricultural policy, and that would help small producers improve their production processes to prevent multinational corporations and large producers from completely dominating the agricultural sector (Vunderlink, 1990). Even though peasant groups exploded in number throughout the 1980’s, and carried out frequent work stoppages, blockading of highways, seizure of government buildings, hunger strikes, marches, and demonstrations, the movement lacked a unified alternative position, and won little more than promises from the government
(Vunderlink, 1990). Yet still, as neoliberal policy became even more intense in the 1990’s, so did the Costa Rican struggle.

In 1990, more than 70,000 service workers struck in protest of government austerity measures that increased the cost of living (Associated Press, 1990, October 6). Austerity measures were protested again in 1995, this time by teachers whose pensions were being threatened by further government slashing of the state sector. On July 17th 50,000 teachers began a 37-day strike during which a “massive demonstration” with over 100,000 participants was held on August 7th. As night fell, riot police cracked down on those demonstrators still outside the presidential palace, a brutal response that prompted public outrage (Almeida & Walker, 2006). Just about one week later, strike leaders signed an agreement with the government that achieved a relatively favorable pension system for public school teachers, yet failed to form a broader coalition for a more protracted struggle against neoliberal austerity measures (Almeida & Walker, 2006). Just a few years later, teachers once again were protesting wages and disinvestment with 15,000 striking in 1999 (Booth, Wade, & Walker, 2006).42

Perhaps the most crystallized resistance, prior to that of CAFTA-DR, occurred in 2000, when the government tried to move legislation through Congress that would privatize the state held electricity and telecommunication industry (Instituto Costarricense Electricidad – ICE). Bitterly referred to as “el combo,” or “value meal” to highlight the selling of Costa Rican interests to transnationals at cut rate prices

42 Austerity measures, by and large, were put in place to reduce the size of the state sector. As such, Costa Rica had seen a decrease in funding for public education from 34.5% of public spending in 1982 to 24.4% in 1991 (Almeida & Walker, 2006).
(Frajman, 2004), the passage of the law by the Costa Rica legislature ignited three weeks of broad based protest – a social response of a magnitude never seen before in Costa Rica. After two days of violent police response against protesters, half a million Costa Ricans – in a country populated by little over 4 million people – came out in solidarity, and marched under the slogan “¡Costa Rica no se vendé!” (Costa Rica is not for sale!) in demonstrations nationwide (Alphandary, 2000, April 15). The united efforts of the Costa Rican people, which included popular demonstrations and workers’ strikes (that virtually paralyzed the productive base of the country) forced President Miguel Rodríguez to withdraw the legislation from Congress. One cannot overlook, however, the role of the Supreme Court in the resolution of the “Combo” struggle.

The 1989 creation of the Constitutional Chamber of the Costa Rican Supreme Court (Sala IV) changed the tenor somewhat of social movements in Costa Rica. By opening up “legal opportunities” (LO’s) for marginalized groups to seek remedies directly from the Supreme Court in cases where their constitutional rights had been violated, Sala IV reduced the need for movements to mobilize large groups of people in collective action, or through more traditional forms of resistance, such as strikes and demonstrations, which had been key strategies in the past (Wilson & Cordero, 2006). Wilson & Cordero (2006) note that this was particularly helpful for stigmatized groups, such as gays and people living with AIDS (PLWA) who were

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43 According to Alphandary (2000, April 15), “On March 16, a farmer was run over by a car and killed and five people were shot by police. March 17 more than 50 University of Costa Rica students were arrested and detained while anti-riot police beat dozens of demonstrators with batons.”
44 As with much reporting on protests, different sources provide different participation estimates. Almeida & Walker (2006) put participation at 100,000. It is unclear, but assumed that Alphandary’s much higher estimate (500,000) refers to total participation, across several demonstrations, and the entire 3 weeks of action.
fearful of being publicly identified as members of these groups. Through the new LO’s created by Sala IV, PLWA were able to fight for equal medical treatment by health professionals & hospitals, along with free access to antiretroviral drugs. Similarly, the Sala upheld gay rights to live without harassment, to hold “gay pride” festivals, and to register gay associations that would be legally recognized by the state. In 2003, the Sala agreed to hold public hearings on gay marriage before making a final ruling on a case brought by a gay man who was refused a marriage license to wed his same sex partner (Wilson & Cordero, 2006). In 2006, however, the Sala ruled gay marriage unconstitutional, yet the debate and struggle for equal rights for gays continues in 2008 as the country deliberates over granting civil unions for same sex couples. The impact of Sala IV and the creation of LO’s for marginalized groups can be seen in both the case of CAFTA-DR, and the case of the Combo law described above, as the struggle sought both legal remedy through the Sala, and also popular remedy in terms of generating mass support through more traditional mobilizations in the street in both cases.

The role of Sala IV in the resolution of the Combo actions was somewhat clouded and controversial, as the court only ruled the Combo law unconstitutional after the government had agreed to back down (Frajman, 2004). In the case of CAFTA-DR, the availability of legal routes to resolution was, however, somewhat of a death sentence to the movement. While largely presented as a “victory,” the successful forcing of a referendum in reality “institutionalized the movement” and brought the struggle to an arena whose terms were set by the national government. In short, “the rulers had appropriated the struggle and shifted it to their own camp”
(Trejos, 2007, p. 84), which allowed officials “to legitimize an unconstitutional
treaty and defuse militant protest in the streets” (Hyde, 2007). The history of
CAFTA-DR in Costa Rica, along with the nature of the movement – both for and
against – is presented in the next section.

**CAFTA-DR in Costa Rica**

From the onset, support for the agreement came from Costa Rica’s business
elite and ruling classes, who argued that CAFTA-DR is the development tool needed
to both legitimate and further Costa Rica’s role in the global economy. This “image
to others” in the global community emerged in the mainstream media (*La Nación*)
and governmental discourse surrounding CAFTA-DR. Furthermore, proponents
suggested that Costa Rica’s booming export trade with the United States presented a
great opportunity to small and mid-sized Costa Rican businesses “to play its hand in
the world market” (Schmidt, 2006, ¶14). Others, however, disagreed, claiming that
the agreement favors multinational corporations and large, currently competitive
Costa Rican businesses over the small and medium-sized businesses. Given that
98% of all formal businesses in Costa Rica are micro, small or medium-sized, the
importance of this point in the debate is irrefutable (Schmidt, 2006).

The resistance to CAFTA-DR emerged on two fronts – “from above” and
“from below.” The resistance “from above” took shape within the institutional
government – namely through the “Citizen’s Action Party” (*Partido Acción
Ciudadana - PAC*), the “Broad Front” party (*Frente Amplio*), and the “Accessibility
without Exclusion Party” (*Partido Accesibilidad sin Exclusión*) in the Legislative
Assembly. The resistance “from below” grew through a variety of student, union,
and other social organizations – referred to as “patriotic committees” (comités patrióticos) – that operated at the grassroots level. Solidarity and unity was generated across these diverse groups through more formal, somewhat institutional organizations “from below” such as the National Association of Public and Private Workers union (Asociación Nacional de Empleados Públicos y Privados – ANEP), the National Coordinator of the Fight against CAFTA-DR (La Coordinadora Nacional de Lucha Contra el TLC) and the National Front of the Fight against CAFTA-DR (Frente Nacional de Lucha Contra el TLC), which served as the managers of the movement for “no” (Movimiento de No).

The coordinated efforts of these organizations reflect the solidarity that is fundamental to the movement from below, and which we heard most clearly annunciated by the World Social Forum, discussed in Chapter 1. Even after the October 7, 2007 referendum, the “coordinated struggle against CAFTA-DR” and the neoliberal model it represents, continued in Costa Rica. On October 27, 2007, the movement released a manifesto that presented its agenda for keeping the struggle against neoliberal free trade alive. The agenda highlights consolidating the patriotic committees as “fundamental instruments of unity and struggle” that allow for the safeguard of democracy and self-determination by Costa Ricans (ANEP, 2007, October 27).

The broad-based and ongoing opposition to CAFTA-DR can be attributed, in part, to provisions included in the agreement that would force the state controlled telecommunication and electricity company (Instituto Costarricense de Electricidad,
ICE) to be opened to foreign investors and competition. Given Costa Rica’s long
democratic history, its cultural allegiance to a strong social state that provides for
the people, and the popular outcry against the same form of privatization in 2000,
the proposed opening of ICE continues to be a major issue around which the
resistance coalesces. Similarly, agricultural issues and intellectual property rights,
especially regarding medicines, continue to be important points of contention held
by the opposition movement (Stop CAFTA Coalition, 2006).

**CAFTA-DR: A Timeline of Events**

Given these issues and concerns, it is not surprising that CAFTA-DR has had a
troubled history in Costa Rica. From the initial delay in signing on to the text after
negotiations concluded in 2003, to the snail-like crawl of the legislation through
Congress before and after the referendum – the CAFTA-DR process has been both
challenged and delayed. A few key events can be highlighted that illustrate the
relationship Costa Rica has had with CAFTA-DR. A more complete timeline of
important CAFTA-DR events can be reviewed at the conclusion of this work, in
Appendix 1.

One of the first substantial events that informs CAFTA-DR in Costa Rica was
the February 2006 election of President Óscar Arias. For many, the Presidential
election itself was seen as a referendum on CAFTA-DR, as that legislation became
the key issue of the campaign (Kendrick, 2006). Oscar Arias, a former President of

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45 In 2000 a strong popular movement against then President Miguel Angel Rodriguez’s proposal for
privatizing ICE literally squashed that initiative, making the inclusion of privatization language in
CAFTA-DR just three short years later particularly incendiary to the resistance movement against
neoliberal reform. See: Alliance for Responsible Trade (2005). *Central Americans Speak Out Against
CAFTA-DR: Major Issues & Mobilizations.*
the nation and Nobel Peace Prize recipient, who was “pro” CAFTA-DR was pitted against Ottón Solís, a popular candidate from the main opposition party (Partido Acción Ciudadana – PAC), who was anti-CAFTA. Arias’ margin of victory was so slim that a congressional vote on CAFTA-DR was postponed “until it became clear who had been elected president and how he intended to handle the matter” (Latin American Weekly Report, February 14, 2006). When finally released, the official results had Arias garnering 40.9% of the votes to Solís’ 38.9%, while the remaining votes were spread across five other candidates. In the end, Arias was able to claim victory by little more than 18,000 votes (Kendrick, 2006).

At the ballot box Costa Ricans seemed to be casting a vote in favor of CAFTA-DR – those who turned out to vote, that is. The 2006 presidential election brought out only 64% of voters – the lowest voter turnout in Costa Rica history (Associated Press, 2006, February 6). Much of the indifference was attributed to a growing sense of disillusionment with government, as Costa Ricans had seen every president since 1990 be accused of corruption after leaving office. Most of the accusations related to bribes paid by telecommunication concerns to the presidents (Freedom House, 2008). According to a 2008 public opinion poll, 71.4% of respondents agreed with the statement that corruption had penetrated all the powers of the republic (“La corrupción penetró todos poderes de la República”) (Poltronieri, 2008). Arias himself may have also added to the disillusionment, as he has strong ties to Carlos Slim – the Mexican billionaire and owner of TELMEX, a

46 According to the UN Refugee Agency (UNHCR), “Freedom House is a clear voice for democracy and freedom around the world. Since its founding in 1941, Freedom House has been a vigorous proponent of democratic values and a steadfast opponent of dictatorships of the far left and the far right.” Retrieved on May 10, 2009 via: http://www.unhcr.org/refworld/publisher/FREEHOU.html
telecommunications giant in Latin America (COHA Staff Report, 2006). But, while some may say the victory of Arias was a victory for CAFTA-DR, the movement in the streets and popular discourse was telling a different story. On October 23rd and 24th of 2006, the opposition movement against CAFTA-DR held two days of public action against the agreement. On February 19, 2007 telecommunication workers went on strike, and on February 26, 2007, the resistance staged its largest protest to date – with 23,500 marching in San Jose against CAFTA-DR (Latin American Weekly Report, 2007, March 1).

After many years of debate and protest and amid criticism that the legislature was either dragging its feet in terms of resolving CAFTA-DR, or was simply not the right forum through which CAFTA-DR could be resolved, the Supreme Court ruled on April 12, 2007 that the Costa Rican people would decide the fate of CAFTA-DR through a public referendum. On June 21, 2007 the English language weekly newspaper, The Tico Times reported that nearly half of the voting heads of households would vote “YES” for CAFTA-DR, while 37.6% would vote against CAFTA-DR and 12.8% remained undecided (Kruppa, 2007). The proposed referendum, which was the first in Costa Rican history, and the first for a trade agreement anywhere in the world (Behan, 2007), generated renewed interest and discourse surrounding CAFTA-DR, while at the same time sparking questions about democracy, patriotism, and development.

In July of 2007 a memo written by Costa Rican Vice President Kevin Casas and ruling party legislator Fernando Sánchez to President Oscar Arias, in which they outlined for the President several tactical moves the government should make in
order to “win” the referendum, was leaked to the media (Washington Office on Latin America, 2007). The full text of the memo can be found in Appendix 3. Most egregious of the tactics was the unabashed use of fear – fear of lost jobs, fear of the dilution of democracy, fear of the “red tide” of Castro, Chavez & Noriega sweeping across and infecting Costa Rica, and, for Mayor’s, fear of losing government funding and the next election (Casas & Sanchez, 2007). The contents of the memo emboldened the resistance movement, which was already criticizing the Electoral Tribunal for instituting voting rules that seemed to privilege the “pro” CAFTA-DR position by not guaranteeing full and equitable participation in the vote. Most disconcerting was the absence of fiscal limits in terms how much the more affluent proponents of CAFTA-DR could spend on advertising and propaganda, along with no concrete parameters for the amount of time and resources government officials could invest in “winning” the referendum (Stop CAFTA Coalition, 2007).

Manipulation of the referendum was not monopolized by the Costa Rican government, however. In August 2007, the U.S. Ambassador in Costa Rica, Mark Langdale, was formally reprimanded by the Supreme Electoral Tribunal (TSE) for trying to influence the outcome of the referendum with a media campaign wrought with misleading claims and threats of economic punishment if CAFTA-DR was not passed (AlterNet, 2007). The movement against CAFTA-DR responded loudly to the actions of both Mr. Langdale and Mr. Casas – staging the largest action of the entire CAFTA-DR struggle on September 30, 2007. With just one week to go until the

47 A copy of Casas’ memo is included in Appendix 3. It was accessed on July 25, 2008 via: http://www.wola.org/index.php?option=com_content&task=view&i=567&Itemid=2. The memo is largely attributed to Casas but was co-authored by Fernando Sanchez, who is a member of the Costa Rican Congress and a cousin of President Arias.
referendum, more than 100,000 Costa Ricans protested the U.S. trade pact (McPhaul, 2007, October 1). On October 7, 2007, in what was described as “strong voter turnout,” sixty percent of registered voters went out to cast their votes on the referendum (Tico Times, 2007, October 9). In the end, CAFTA-DR was passed by almost the slimmest of margins – 52% voted in favor of the agreement, while 48% voted against (Dickerson, 2007, October 8). Taken from another perspective, however, almost half of the voters, in the richest, most developed country in Central America, were opposed to the neoliberal free trade offered through CAFTA-DR.

La Nación & the Costa Rican Media

According to Freedom House, an “independent nongovernmental organization”\(^{48}\) that studies global trends in “freedom and democracy” including freedom of the press, the press environment in Costa Rica is considered to be one of the freest in Latin America.\(^ {49} \) In light of this designation, along with Costa Rica’s rich history of democracy, it is somewhat surprising that issues of freedom of the press have been problematic in the nation. Freedom House openly notes limitations on freedom such as strict libel laws which threaten jail sentences for “insult of a public official;”\(^ {50} \) violence against journalists;\(^ {51} \) and the “highly concentrated, and generally conservative”\(^ {52} \) nature of the privately owned Costa Rican media.

\(^{48}\) The “independent nongovernmental organization” is a label applied by Freedom House itself. At least one watchdog group, RightWeb (a program of Political Research Associates) has questioned the “nongovernmental” description of Freedom House, arguing that it is “largely a U.S. government funded group” with ties to “hawkish, neconervative factions” of U.S. politics. This critique can be reviewed at: [http://rightweb.irc-online.org/profile/1476.html](http://rightweb.irc-online.org/profile/1476.html)

\(^{49}\) [http://www.freedomhouse.org/](http://www.freedomhouse.org/)


\(^{51}\) Examples include the July 2001 murder of radio host Parmenio Medina, whose radio show took aim at official corruption ([http://www.ifex.org/en/content/view/full/89337/](http://www.ifex.org/en/content/view/full/89337/); the December 2003 murder of Ivanna Mora, economic reporter allegedly gunned down by a former employer as a result...
Often described as “vibrant,” the Costa Rican media scene consists, in part, of nine major daily newspapers, twenty broadcast television stations, 116 broadcast radio stations, and with 13,792 web hosts and just over 1.2 million internet users, online media will increasingly offer more options, especially to higher income users living in the national capital of San José. While radio continues to be the most popular medium for news distribution, newspapers are a major force, and *La Nación* leads the way in terms of circulation and readership.

In addition to its current status as the most widely read daily newspaper in Costa Rica, *La Nación* has had a rich history within the context of the nation specifically, and in relation to the broader region of Central America. Founded in 1946, amid social unrest aimed towards the administration of President Rafael Calderón, *La Nación* emerged as the oppositional voice that was critical of both Calderón and his successor, Teodoro Picado, charging the latter with tyranny and oppression. The social unrest culminated in the Civil War of 1948, which brought José María Figueres Ferrer to power, creating the social state that Costa Ricans know today, but which is being challenged by CAFTA-DR. As mentioned earlier, Figueres was a contradiction, and while he went on to shape Costa Rica in the most positive social sense and advocate for a greater good for all, his original position, as

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53 [http://news.bbc.co.uk/2/hi/americas/country_profiles/1166587.stm#media](http://news.bbc.co.uk/2/hi/americas/country_profiles/1166587.stm#media)
supported by the U.S., was anti-communist, and, for the U.S., hopefully pro-capital. This distinction is important to make, because while *La Nación* gave voice to the opposition, we cannot say that it gave voice to the “people.” It may instead be argued that *La Nación* was born as the “voice of free market capitalism” – a voice for private capital interest, which it continued to raise throughout its tenure.

During the U.S.-backed Contra-Sandinista war in Nicaragua in the 1980’s, for instance, *La Nación* aligned itself with the Contras and became the voice for their cause, through publication of the supplement *Nicaragua Hoy* (Press Reference, 2007). In first giving voice to U.S. backed anti-communist Figueres, and then the U.S. backed Contras, it is no surprise that today *La Nación* is described as “representing the commercial interests of the business elite” (Press Reference, 2007) and circulation is described as “very strong among the high and medium/high economic groups “ (LexisNexis, 2008). This, in addition to the nature of *La Nación* as part of the larger media conglomerate, Grupo Nación GN S.A., suggests that the political economy critique of both the U.S. and global media system would hold for the Costa Rican media.

As compiled from Grupo Nación’s (2008) media kit, in addition to other sources, among its holdings, the conglomerate boasts eight daily newspapers: five in Costa Rica (*La Nación, Al Día, La Teja, El Financiero, and Vuelta en U*), two in Panama (*El Capital and Siglo XXI*), and one in Guatemala (*Al Día*); twelve magazines (*Perfil, Su Casa, Sabores, Hablemos de Niños, BienESTAR, Agenda para Mamá, Novias, dietas, SoHo, Horóscopo, Pensiones, and El Commerciante*); it owns several radio
stations through El Grupo Latinoamericano de Radiodifusión\textsuperscript{57} which was created in partnership with Spanish media goliath Grupo Prisa\textsuperscript{58} and the Colombian company Radio Caracol; on its own, Grupo Nación operates three radio stations in Costa Rica (40 Principales – 104.3FM, bésame – 89.9FM, and La Nueva – 90.7FM); in addition to the websites associated with vehicles mentioned above, Grupo Nación operates five other websites (elempleo.com, Cinemania.com, economicos.com, clasificar.com, and guiaacademica.com).

Grupo Nación also owns non-mass media businesses such as the graphic production and design company, Servigráficos; the paper and carton company, PAYCA; and the printing firm, Impresión Comercial. While these companies are not classified as media companies, they are key factors in the vertical integration of Grupo Nación, and allow the firm to completely control and monopolize the media production process in Costa Rica. For instance, by owning the key paper provider in the region, and the key printing facility, Grupo Nación is able to create huge barriers to entry that may effectively keep competing newspapers out of the market. In addition to these more formal examples of ownership, Grupo Nación is also connected to supposedly “competing” media in other ways. For instance, “La Nación stockholders also hold interests in the daily paper, La República, as well as the popular radio stations, Radio Monumental and Radio Mil” (Press Reference, 2007).

\textsuperscript{57} For more information and a somewhat critique of the joint venture, see: http://www.elpais.com/articulo/sociedad/PRISA/PRISA/Caracol/entrar/Grupo/Latino/Radio/Costa/Rica/elpepisoc/20000714/elpepisoc_5/Tes/
\textsuperscript{58} Grupo Prisa has been the target of criticism by many European media rights groups. See http://www.solidaridad.net/noticias.php?not=571 for example.
The political economy critique of the mass media, in its most simplistic terms, posits that the monopolization of production in the hands a few, large, profit driven, mega media conglomerates, results in news coverage and dissemination that necessarily privileges the interests of capital over all else. Sklair (2002) describes a global media system dominated by the transnational capitalist class (TCC), which consists of corporate, state, technical, and consumerist factions that transcend national borders to further capitalist globalization (Sklair, 2002, p. 99). No matter who produces the content, global or local media companies, the “triumph of capitalist consumerism” is ensured (p.170) because “corporate media may vary in size, structure, temperament, and format, but never in allegiance to their class” (Artz, 2003, p. 20). These theories of the political economy of the global media come to bear specifically on Costa Rica, and the subsequent framing of CAFTA-DR by media outlets, as the conglomerate nature of the media is blamed for suppressing alternative or independent media sources. Press Reference (2007) quotes one journalist whose attempts to launch an alternative newspaper were squashed because “media and business owners were ‘one and the same.’”

While the mainstream media landscape is dominated by Grupo Nación, independent media outlets have managed to establish somewhat of a voice in Costa Rica. Among the most successful are vehicles tied to more powerful “institutions” of resistance, such as the University of Costa Rica, which publishes the “non partisan” Seminario Universidad, and broadcasts Radio U as alternatives to the corporate media of Grupo Nación. Similarly, the website of the Union of Public and Private Workers (Asociación Nacional de Empleados Públicos y Privados – ANEP) not only
disseminates official Union position statements, but also serves as a clearing house, collecting oppositional discourse against CAFTA-DR from a variety of sources, including *Seminario Universidad, La Tribuna Democratica*, and *La Prensa Libre*. It is difficult to establish just how many people these independent media outlets reach, as formal “circulation” numbers are not available. We can, however, confirm that the University of Costa Rica enrolls 35,000 students\(^59\), that ANEP serves 13,000 members\(^60\) and that these real communities can grow exponentially into a much larger virtual community – by upwards of 1.5 million Costa Ricans – as a 35.7% of the population is online.\(^61\)

Considering the number of “news oriented” independent media outlets that could serve as sources of data, labor intensive data collection was avoided when it became apparent that not only did ANEP make its own discourse available on its website, but it also made oppositional discourse from the sources mentioned above, such as *Seminario Universidad, La Tribuna Democratica*, and *La Prensa Libre*.\(^62\) The depth of sources make ANEP’s website a virtual “one-stop-shopping” for oppositional discourse, and as a result, the site became the primary source for independent media “news oriented” discourse on CAFTA-DR. The methodology of how the “news oriented” discourse and “campaign oriented” discourse data sets were constructed, follows.

\(^59\) [http://www.infocostarica.com/education/universities.html](http://www.infocostarica.com/education/universities.html)
\(^60\) [http://www.anep.or.cr/leer.php/1009](http://www.anep.or.cr/leer.php/1009)
\(^62\) A drawback of using ANEP’s website as a clearing house source for alternative discourse is that we do not know for sure that ANEP provides complete, unedited stories from the various publications. It is assumed that since ANEP provides its own discourse, and cites the various publications and authors for their contributions, that ANEP is not editing or altering the content of these articles.
Methodological Considerations – The Sampling Frame

As we learned in the previous chapter, CAFTA-DR was treated as “no big deal” by the *NY Times* – warranting a mere mention in only 118 articles and substantial attention in even fewer, 53 articles, over the dates queried for this research. As a result, the sampling process for the *NY Times* analysis was simple and straightforward. In Costa Rica, however, where over 40% of imports and exports either come from, or go to, the United States, CAFTA-DR was rightfully considered “a big deal,” inspiring a large quantity of both news oriented and campaign oriented discourse.

A key word search of *La Nación’s* online archives from 2003 through 2008 retrieved 38,808 documents that contained reference to “CAFTA” or “TLC” (“tratado libre comercio” – the Spanish acronym for “free trade agreement”). The “Articles” section of ANEP’s “TLC” archives, representing roughly the same timeframe, contained 424 articles. Through the amount of coverage given to an issue, news agencies “set the agenda,” indicating to audiences those issues that are most important, and which warrant their attention (Kosicki, 1993). The success of the news media in setting the agenda may be reflected through the explosion of citizen created discourse directed towards campaigning (mostly) against, CAFTA-DR. An “ad-hoc” internet search found many blogs dedicated to anti CAFTA-DR discourse and argumentation. In addition, YouTube houses over 850 videos that reflect the

63 This section outlines the methodology applied to the study of the discourse of CAFTA-DR in Costa Rica, and also summarizes key findings. Chapters 4, 5, and 6 will present the findings of the frame analysis in far greater detail.

64 A Google search for “no al tlc” (“no to the free trade agreement”) retrieved several documents – namely, the blog – “Sin pelos en la lengua” ([http://tlc-no.blogspot.com/](http://tlc-no.blogspot.com/)). That site included links to other “anti CAFTA-DR” sites, which included links to others, providing a kind of “snowball” effect in terms of isolating anti CAFTA-DR discourse.
“campaign oriented” discourse of CAFTA-DR. The following sections describe how this unruly mass of discourse was filtered into workable data sets for both the “news oriented” and “campaign oriented” discourse.

**“News Oriented” Discourse**

Given an original article count of almost 40,000 news articles across both the mainstream *La Nación* and the alternative ANEP website, it was obvious that the data set needed to be filtered in some way to bring it down to a more manageable number. This was accomplished with the “news oriented” discourse by using the four temporal phases of resistance to CAFTA-DR in Costa Rica outlined in Trejos (2007) as a sampling frame. Trejos’ (2007) framework, and how it was used to organize the data set will be discussed more thoroughly in the following section of this chapter. These four phases offer a window through which to view CAFTA-DR in Costa Rica at different points of time and in different contexts, and provide a useful frame for evaluating how competing pressures from above and below shaped the discourse of CAFTA-DR. The application of Trejos’ model was primarily to give order to, and reduce the overall number of articles in the dataset, rather than to test the model. Still, Trejos’ descriptions, from the perspective of the opposition, illustrate how competing “realities” of CAFTA-DR not only existed, but also struggled for dominance in the minds of Costa Rican’s. Using these phases as a sampling frame, Table 3.1 illustrates the final data set for “news oriented” discourse, which came to include 1,316 articles (986 from *La Nación*; 330 from ANEP’s website). The data set breakdown for “news oriented” discourse, along with a brief description of each “phase” follows.
Table 3.1: News Oriented Discourse Data Set by “Source” and “Timeframe.”

<table>
<thead>
<tr>
<th>Timeframe</th>
<th>La Nación</th>
<th>Opposition/ANEP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between Signature &amp; Election (May 2004-Feb. 2006)</td>
<td>196</td>
<td>45</td>
</tr>
<tr>
<td>After the 2006 Elections (May 2006-March 2007)</td>
<td>444</td>
<td>123</td>
</tr>
<tr>
<td>Institutionalization (April 2007 – October 2007)</td>
<td>306</td>
<td>135</td>
</tr>
<tr>
<td>Total</td>
<td>986</td>
<td>330</td>
</tr>
</tbody>
</table>

Phase One: Before the Signing of CAFTA-DR

According to Trejos (2007), the first phase of the resistance was limited to two positions – one completely against a free trade agreement with the U.S., and another open to the idea of a free trade agreement with the U.S., but on “better” terms. Very little was known about CAFTA-DR during this phase, as the only available information was that being released by COMEX (the office of the Minister of Foreign Trade). As a result, the discourse, through both La Nación and ANEP, was dominated by conjecture of what CAFTA-DR was all about, or what a “good” CAFTA-DR would look like. This, according to Trejos (2007) kept the resistance fragmented. The negotiation process was criticized by both sources, yet La Nación still emphasized the “benefits” of CAFTA-DR, coming out in support of the agreement. The opposition discourse, was, of course, opposed to CAFTA-DR, but it did not reject the U.S. style free trade model, rather it demanded a “better negotiated” CAFTA-DR that would serve the needs of the Costa Rican people (el pueblo) and enrich Costa Rican society. There was very little evidence in either discourse source here, or in any phase of the discourse, of a radical rejection of the neoliberal model.
Phase Two: Between Signature and the February 2006 Elections

During this phase, Trejos (2007) claims that the opposition gains greater unity, as access to the text of CAFTA-DR made it clear to the resistance movement that “nothing in CAFTA favoured anyone other than transnational capital and its local representatives.” This point, that CAFTA-DR only benefits a small number of wealthy, powerful businesses, at the expense of the poorer, less powerful majority – became a key aspect of the discourse from both sources. While La Nación emphasizes the “polarization and paralysis” of the country in relation to CAFTA-DR, the slow movement is attributed not to the popular social movement in the streets, but rather institutional actors – such as President Abel Pacheco, who was continually criticized for dragging his feet in regards to the CAFTA-DR legislation. Trejos still notes two positions – renegotiate or reject – as operating within the movement, but as noted in the previous phase, the “renegotiation” frame, which called for working within the neoliberal free trade model, was far more prevalent, especially in the opposition discourse presented through ANEP. Even the oppositional discourse, at this early point in the CAFTA-DR process, began to emphasize more institutional routes to resolution – such as the debate/dialogue/discussion that underlies any potential renegotiation of the agreement.
Phase Three: After the 2006 Elections

According to Trejos, the election of President Oscar Arias, on a platform of ratifying and implementing CAFTA-DR at any cost, served as a rallying cry for the “no” camp. The resistance movement recognized that there was no negotiating with the government, and no possibility of renegotiating the free trade agreement, and thus changed its tenor. During this phase the largest popular actions were held – with upwards of 20,000 citizens participating in the actions of October 23/24, 2006 and February 26, 2007. With the Arias administration dominating the movement of CAFTA-DR through formal, institutional, democratic channels, the resistance responded with movement of its own – in the streets. This shift in the resistance, however, remains virtually silent in the discourse. That is, La Nación gave voice almost solely to “institutional” actors of the resistance and the discourse disseminated by ANEP, while not privileging the legislative process as strongly as La Nación, still operates within the institutional frame. All discourse continues to limit criticism and opposition to CAFTA-DR, rather than the neoliberal model. This holds out hope for renegotiation, or some unnamed process that could make CAFTA-DR better for Costa Rica.

Data Set Parameters: May 2006-March 2007

La Nación: 444 Articles
ANEP: 123 Articles
Phase Four: Institutionalization of the Movement (The Referendum)

The April 12, 2007 ruling of the TSE, that CAFTA-DR would be resolved by the Costa Rican people through a public referendum, began the final stage of the resistance movement. It was from this moment, according to Trejos, “that the rulers had appropriated the struggle and shifted it to their own camp” (2007). Truly, CAFTA-DR would be “decided through an electoral process and not on the basis of a social struggle that had been developing” (Trejos, 2007). While there is strong evidence of an “institutionalization” frame in the discourse during this phase, a broader view of the discourse on the whole, indicates that institutionalization was more constant. The dominance of institutional actors and activities can be seen in both the mainstream discourse of La Nación and the independent discourse of ANEP, along with appeals – from both sides – for institutional resolution of CAFTA-DR. Trejos suggests that, despite the failure of the movement to defeat CAFTA-DR, the movement could still be the “germ of a process” that could lead to a “societal transformation that is more radical” (2007). This sentiment is supported by the opposition discourse, which calls for continued unity and activity of the movement towards the Costa Rica “we want” (queremos).

Data Set Parameters: April 2007-October 2007

La Nación: 306 Articles
ANEP: 135 Articles

“Campaign Oriented” Discourse

In addition to the analysis of “news oriented” discourse proposed above, an analysis of the campaigns for and against CAFTA-DR in Costa Rica was also
conducted. The “yes” campaign, which operated with both the ideological and financial backing of the Arias Administration, transnational capital, and mainstream media vehicles such as La Nación, was largely conducted by two groups – Por Costa Rica, and Alianza Ciudadana por el Sí. Rich with funding, personnel links to both the ruling government and industry, and the ability to “buy” influence with the mainstream media, the “yes” campaign took on an institutional tone, tactics, and structure.

The “no” campaign, on the other hand, operated without deep funding or access to the mainstream media, and developed more as a grassroots initiative, with a number of groups emerging at the local, and national levels to resist CAFTA-DR. Management of the “no” movement was largely conducted by two social sector organizations – La Coordinadora Nacional de Lucha contra el TLC (National Coordination of the Fight against CAFTA-DR) and Frente Nacional de Lucha Contra el TLC (National Front of the Fight against CAFTA-DR) – in addition to the strong leadership position held by the National Association of Public and Private Workers, ANEP (Asociación Nacional de Empleados Públicos y Privados). The “no” campaign inspired much passion among Costa Ricans, which, as mentioned earlier, was expressed through the “citizen media” of blogs, and community sites such as YouTube.

Given the nature of the campaigns, which, especially in terms of the “no” campaign, was expressed and executed on a more local level, videos were sourced on an “ad hoc” basis, through a form of snowball sampling. Exemplars such as ANEP’s website, the Por Costa Rica website, in addition to individual videos on
YouTube included links that led to additional discourse, which included additional links to additional discourse, etc.... On YouTube, a series of searches was conducted with the search terms “Costa Rica TLC” retrieving “about 853” videos, “Costa Rica TLC US” retrieving “about 54,” and “Costa Rica TLC CAFTA” retrieving “about 232.” The final dataset of consisted of 140 videos – 86 from the “no” position and 54 from the “yes” position. 7 additional videos used by the “yes” campaign were sourced from the Por Costa Rica website. In total, 147 videos made up the “campaign oriented” data set, and are broken down as follows:

“Yes” campaign oriented discourse:

Videos: 61

“No” campaign oriented discourse:

Videos: 86

These final data set(s) for both “news oriented” and “campaign oriented” discourse were analyzed on their own through the grounded theory process of frame analysis described more thoroughly in chapter 2. A “list of frames” was generated for each set, the lists were then analyzed against one another, individual frames were correlated, and collapsed into larger framing devices that explain how the discourse constructed CAFTA-DR. Findings from the analysis of “campaign oriented” discourse – the most heated moments in the CAFTA-DR debate – will be presented first, in Chapter 4. The terms of the debate will then be fleshed out through the analysis of the mainstream news oriented discourse of La Nación are
presented in the following chapter, Chapter 5, while findings from the analysis of the opposition’s “news oriented” discourse is presented in Chapter 6.
References


Chapter 4

Campaign Oriented Discourse: Authenticity, el Pueblo, and CAFTA-DR

The current chapter reports the findings from a subjective frame analysis of the campaign-oriented discourse of CAFTA-DR. A series of searches were conducted on YouTube, and a data set including 86 videos from the “no” campaign and 54 videos from the “yes” campaign was constructed. 7 additional videos from the “yes” campaign were sourced from the Por Costa Rica website. A total of 147 videos were analyzed using the grounded theory approach outlined in Chapter 2.

The campaign discourse on both sides of the agreement tended to coalesce around similar themes and frames. It is through these videos that we see more heated, emotional expression of the “terms” of the debate that will be fleshed out in greater detail by the “news oriented” discourse analyzed in subsequent chapters (5 & 6). Both the “yes” and “no” campaigns provided arguments for, or against CAFTA-DR based on jobs, labor rights, the environment, the effects on agriculture and small producers, intellectual property rights (patents/copyrights), education, access to medicines, and other state run services, such as telecommunications, social security and water.

More significant, and therefore emphasized in these findings, was the use of imagery and storytelling in the campaign oriented discourse. Both sides struggled to present its position as “authentically” Costa Rican, and distinguish it from the “inauthentic” position of the other side. Claims of authenticity are made through the discourse and imagery of el Pueblo – literally, “small town;” more figuratively, “the Costa Rican people.” At its core, much of the discourse of CAFTA-DR was a struggle
to impose one definition of *el Pueblo* as hegemonic over the competing definition. The representation of this struggle for authenticity is reflective of the broader literature on nationalism and construction of national identity, which suggests that official state discourse, disseminated through the mass media and other cultural artifacts, tends to construct the nation as one of “modernization and progress” (Taylor, 2005, p. 80) where racial and class differences are “managed and domesticated” (Rivers-Moore, 2007, p. 343) by orienting national identity toward “personal consumption and appreciation of free-market capitalism” (Kumar, 2005, p. 135).

Both campaigns sought to alienate what it deemed external or foreign influences that represented the true drivers and beneficiaries of the opposing viewpoint. That is, the “no” campaign emphasized the corporate, capitalist interests of the U.S. and the Costa Rican “officials” with whom their interests were intertwined, as acting against the more authentic interests of *el Pueblo*. On the other hand, the “yes” campaign emphasized the role of foreign “communists” such as Fidel Castro, Hugo Chavez, and Daniel Ortega, as acting against the more authentic interests *el Pueblo*. Both sides relied on images of the rural countryside (*el campo*) and small farmers (*campesinos*) to represent authentic Costa Rica, while the “yes” campaign updated those images to include visuals of technology (ie: computers, cell phones, and industrialized production) as part of its framing of CAFTA-DR as “advancement” (*adelante*), and the “no” campaign supplemented them with images of the social movement (*la calle*).
The construction of *el Pueblo* reveals both the negotiated aspects of the “yes” campaign, and the reflective aspects of the “no” campaign. That is, while the “no” campaign borrowed strongly from the solidarity and direct action rhetoric of “socialism for the 21st century,” the “yes” campaign was more nuanced in its construction. The “yes” campaign framed its position as not just one of middle class individualism, but rather one of middle class plus peasant and other interests. Visually, this manifests itself through images of peasants, the countryside, and families. The “yes” campaign follows Margaret Thatcher and negotiates a middle ground where “just individuals and their families” have the power to direct the government and resolve CAFTA-DR.

As such, the struggle to define authentic Costa Rican interests played a prominent role in the “campaign oriented” discourse. This struggle for authenticity was seen most clearly through the imagery of the “heart” (*el corazón*), which was used as a logo and appeal by both the “no” and “yes” campaigns. The discourse itself noted this power play – with explicit reference to the “other’s” illegitimate use of such imagery. In using similar terms and similar images to vie over authenticity, the campaigns emphasized the “lies” (*mentiras*) of the opposing camp, and constructed those having the opposite view as villains and monsters. For the “no” campaign the inauthentic “villains” were constructed as “pirates and profiteers,” while CAFTA-DR was generally represented as some sort of monster. For the “yes” campaign the inauthentic “villains” were constructed as “demagogues and communists.” Before

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fleshing out these findings in more detail below, I will first discuss more broadly the nature and tenor of the campaigns “for” and “against” CAFTA-DR.

The Campaigns – “David vs. Goliath”

On the whole, the campaign for and against CAFTA-DR was described as a classic battle of Goliath versus David. That is, the “yes” campaign was described as a “multimillion dollar campaign,” largely funded by big business interests and thus able to command mass media vehicles to disseminate its message. On the other hand, the “no” campaign was described as poor in funding but rich in spirit and enthusiasm. These differences in funding created distinct spaces that bounded the strategies of each side, and which shaped the subsequent campaigns. While the spaces of the “yes” campaign were modern, mass media, the spaces of the “no” campaign were the community and in the streets.

According to Trejos (2007) the “no” campaign emerged in large part, thanks to the “broad and prestigious intellectual sector” in Costa Rica. The quality and autonomy of the university system, she suggests, created a large group of professionals dedicated to thinking critically about CAFTA-DR who “published a lot of books and even more articles, several videos and audio materials, leaflets, flyers, songs, poems, jingles, posters, skits, etc. to share analysis on the FTA's contents.” As such, the “no” campaign emerged through these professionals, yet at the grassroots level, with discourse largely produced by individuals. As Trejos (2007) reports, the “no” campaign “had the support of hundreds of activists who were willing to spend their time, money and knowledge on this work.” In terms of dollars spent
campaigning. Wedekind (2007) reports that the “no” campaign invested $40,000 in disseminating its message and arguments.

The “yes” campaign, on the other hand, was largely described as a “multimillion dollar” campaign. Wedekind (2007) reports that the campaign spent more than $10 million on its media campaign, while Lyderson (2007) places total “yes” campaign spending (advertising plus “a variety of pay offs”) at $56 million. These funds were contributed by private sources, largely assumed to have come from outside Costa Rica and therefore in violation of the referendum rules set by the TSE (Wedekind, 2007). Given that the Tribunal did not force the “yes” campaign to open up its “bank accounts and show where the money was coming from” (Wedekind, 2007), these criticisms from opponents of CAFTA-DR cannot be confirmed or denied.

Comparisons between the campaigns are stark, and highlight the strong class affiliations of each side. In personal accounts and examples provided by Facio (2008), the “yes” campaign is described as more affluent and upper class, while the “no” campaign is described as more working class, grassroots, and authentic.

The Yes people waving commercially made flags, wearing identical Yes T-shirts and giving away thousands of stickers and fancy store bought food. The No people waved their home made banners, wearing their individually designed or hand painted NO T-shirts which each opponent of CAFTA paid for with her or his own money and sharing their home made lunches…

The NO people arriving by foot or being brought by private citizens who had offered their cars and time for transportation while the YES people arrived in big buses covered with commercial banners paid for by the multimillion dollar campaign.
The failure of the “no” campaign to win enough votes to kill CAFTA-DR was blamed on the campaigns itself, namely the “unfair advantages” given to the “yes” position. Critics of the referendum process and outcome argue that the rules set by the TSE were not only too lenient, but also not applied consistently by that body (Facio, 2008; Trejos, 2007). Most notably, the TSE allowed for both national representatives (such as President Arias, and his brother) and outside actors (such as members of the Bush administration and the US Ambassador) to continue their lobbying for CAFTA-DR, even when campaigning was officially suspended. At the same time, however, the TSE passed a resolution that university personnel, who were largely against CAFTA-DR, could not use public funds to campaign in relation to the trade pact (Trejos, 2007).

YouTube provides a great repository for campaign discourse. However, by collecting data through this source, it is difficult to assess the original channels through which the videos were disseminated.\(^{66}\) Given what is known about the budgets and spending of each of the campaigns, it is reasonable to assume that the “yes” videos were distributed through more traditional media channels such as television, while the majority of “no” videos were distributed through more grassroots channels, such as YouTube, and other online sources. Some “no” videos, such as the three that made up the “Anuncio Corazón del NO” campaign, aired on the television channel *Teletica* and, according to YouTube, was funded by donations from 210 Costa Ricans (http://www.youtube.com/watch?v=swG15w6Axgs).

\(^{66}\) The data set was constructed by creating persistent “playlists” of videos through YouTube. On January 14, 2009 I created two “playlists” – one titled “CAFTA Videos,” which contains the 86 videos of the “no” campaign; and the second titled “Si campaign,” which included the 54 videos of the “yes” campaign sourced from YouTube (an additional 7 videos were sourced from the “Por Costa Rica” website). These YouTube playlists can be accessed and viewed via: http://www.youtube.com/view_play_list?p=717B4A2D021848AA
In terms of the “yes” campaign, Mora (2008, January 16) confirms that later videos produced by the group “For Costa Rica” (Por Costa Rica) as part of the “yes” campaign were aired on television, with companion ads delivered through print media and the radio. Similarly, Morales-Mateluna (2007, November 2) reports that the “yes” campaign “spent an estimated $3 million, bombarding Costa Ricans with billboards, television ads, full-page ads, all in favor of CAFTA.”

Discursively, it seems as if the “yes” campaign – through the videos – was targeted towards the middle and upper classes, while the “no” campaign was targeted towards the working and peasant classes. The imagery of the “yes” videos – specifically the 21 that made up the “TLC y...” (CAFTA-DR and...) campaign – are largely those of middle class families, living in middle class homes and presented in situations that reflect a modern and progressive class (ie: using laptop computers; reading the newspaper; performing as consumers). This campaign defined and took to task the terms of the debate, by linking CAFTA-DR with key issues – such as “CAFTA-DR and Consumers,” “CAFTA-DR and Agriculture,” “CAFTA-DR and jobs,” and “CAFTA-DR and medicines” – and arguing that the agreement would be beneficial for all.

On the contrary, the images of the “no” videos include a far more indigenous and “worker” based representation of Costa Ricans. Darker people in natural environments performing “manual” tasks such as plowing fields and participating in protests and marches appeared frequently in “no” videos. The “no” position, as such, represents itself as the masses or the multitude by relying on more collective imagery, while the “yes” position represents itself through the imagery of individual
rights (to choose) and consumption. The popular discourse from below, and the neoliberal discourse from above, can clearly be seen in both sides of the discourse. By appealing to different targets, with different images, but largely the same terms (el Pueblo), the campaign discourse provides a window into the most heated moments of the CAFTA-DR debate where the struggle for hegemonic definition of national interests and el Pueblo becomes most tangible. How these interests are made salient through discourse will be discussed in the remaining sections of this chapter.

The "No" Campaign on CAFTA-DR: Pirates and Profiteers

In general, the “no” campaign framed CAFTA-DR as a notorious or “evil” agreement that promised to pillage Costa Rica for the benefit of a minority of transnational corporations and/or the United States. Using images of pirates, the devil, and footage from vintage science fiction movies, CAFTA-DR was represented as an alien entity that was certainly not Costa Rican – but rather some sort of “monster” that threatened el Pueblo.
El Ecoloco con el TLC !

La Tosca Herramienta 5
La Tosca Herramienta 3

Tlc Costa Rica
The sinister nature of CAFTA-DR was personalized by the “no” campaign through its casting of pro CAFTA-DR actors – namely President Oscar Arias and members of his administration – in evil roles. For example, Arias himself was presented as the dubious character “Ecoloco” (“El Ecoloco con el TLC!!”) – intent on selling out Costa Rica’s national resources such as water (agua), mining (mineras), and petroleum (petrolera) to the United States. This sentiment was echoed through the general imagery of Arias, and more specifically in the video “we have a pirate president” (Tenemos un Presidente Pirata). The video shows two children watching Arias give a speech on television and discussing his assertion that there is “no alternative” to the neoliberal globalization of CAFTA-DR. According to one child, Arias claims that “if we don’t pass it, we will be trapped,” to which the child responds – “we have a pirate president” (tenemos un presidente pirata).

*El Ecoloco con el TLC !!*
On a somewhat lighter, more tongue-in-cheek note, the “no” campaign played off of classic movie villains, as we saw above with CAFTA-DR represented through the
image of Godzilla. Arias more specifically was represented through the imagery of classic entertainment villains such as Darth Vader, King Kong, and the Grinch.

In “Oscar Wars” CAFTA-DR (TLC) is represented by the Death Star, which, according to starwars.com was “the code name of an unspeakably powerful and horrific weapon developed by the Empire.” In the video, U.S. President George Bush is represented as Palpatine, “the supreme ruler of the most powerful tyrannical regime the galaxy had ever witnessed,” and the evil force that recognized and nurtured the “dark side” in Anakin Skywalker – who would become one of the most notorious villains of all time, Darth Vader. Oscar Arias plays the role of Darth Vader in the video aptly titled, “Oscar Wars,” and is represented as “marching” Costa Rica towards poverty. In the end, images of authentic Costa Rica, in the form of the famous statue of national hero Juan Santamaría mounting a brightly colored Resplendent Quetzal bird – ironically, the national bird of Guatemala, rather than Costa Rica but symbolizing freedom nonetheless – to defeat the Death Star/TLC.

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69 Retrieved on May 14, 2009 via: http://www.cyberoz.net/city/sekine/costarica_0.htm
Along similar lines, “Oscking Kong” presents Oscar Arias as the villain King Kong – “the king of the neoliberal monkeys.” Oscking Kong descends on Costa Rica intent on destroying the institutions – such as Social Security (La Caja) – that Costa Ricans hold dear. With money bag in hand he ascends the Social Security building, but instead of dismantling that institution, the arm of the Costa Rican *Pueblo* emerges to shake Oscking Kong/Oscar Arias to the ground.

*Oscking Kong*
In “The Last Christmas (La última navidad)” Oscar Arias plays the Grinch – notorious for stealing Christmas, presents, tree, food, and all from the Who’s in Whoville. Here, Arias is depicted as using CAFTA-DR as a means to steal the most precious gifts from Costa Ricans – such as national healthcare (CCSS) and Democracy. As in both “Oscar Wars” and “Oscking Kong,” “Osgrinch” is depicted in this video as being run out of town by the Costa Rican people, once again illustrating how *el Pueblo* is not only at odds with the ruling government, but also the most authentic actor in Costa Rican society.
On the whole, the “no” campaign emphasized corrupt Costa Rican officials working against the interests of el pueblo to make CAFTA-DR happen. Playing off the Spanish acronym “TLC” (Tratado Libre Comercio – Free Trade Treaty) the “no” camp suggested the CAFTA-DR would be “Terrible for Costa Ricans” (Terrible para Los Costariccenses), bring “expensive tortillas” (Tortillas Las Caras), and “quite the opposite” (Todo Lo Contrario) of what the government promised – “Treason to Costa Ricans” (Traición a Los Costariccenses). “No” videos contended that “all of them are corrupt” (Todos Los Corruptos) and delivered images of the offenders, President Arias, Vice President Kevin Casas, Minister of the Presidency Rodrigo Arias, and ruling PLN party Congressman Fernando Sánchez one after another, as if presenting mug shots of criminals. Once again playing off the acronym, the campaign asks, “Do you still believe them?” (¿Todavía Les Cree?)
Unamos las Manos Contra el TLC

No te la vas a acabar
Unamos las Manos Contra el TLC

![Image 1]

Unamos las Manos Contra el TLC

![Image 2]
TLC: Todos los Corruptos

TLC: Todos los Corruptos
Cualquier noche puede Salir el Sol

NO TLC PUNTARENAS
In addition to these local, inauthentic actors, the “no” campaign also highlighted the role of the U.S. in the CAFTA-DR process and its status as the primary profiteer of CAFTA-DR. The strongest, most consistent visual used by the opposition to mount its critique of the trade agreement was that of “Uncle Sam.” With his judgmental wagging finger pointed directly at the Costa Rican public, and his menacing stare, Uncle Sam was presented as an inauthentic outsider, intent on taking advantage of the more authentic Costa Rican Pueblo.

Costa Rica S.A.: ¿Qué es el TLC? (Parte 2)
Lo que hace el avestruz - NO TLC

El pueblo dice NO al TLC Costa Rica
Tlc Costa Rica

TLC y Educación (primera parte)
No te la vas a acabar
Behind the force of Uncle Sam were U.S. brands, which the opposition posited as benefitting at the expense of both Costa Rican businesses and the Costa Rican people. In some instances, the inclusion of branded visuals was part of a specific critique of CAFTA-DR, such as that of pharmaceuticals. The opposition videos argued that the agreement would decimate Social Security (La Caja) by extending patent terms and making generic drugs unavailable. This point will be fleshed out in more detail in the analysis of “news-oriented” discourse presented in Chapters 5 and 6. The following images provide examples of the pharmaceutical brands that the opposition claims would benefit most from CAFTA-DR.

**Último proyecto de la Agenda de Implementación del TLC**
In other instances the use of branded visuals was more general to the critique of the neoliberalism that underpins CAFTA-DR. As such, the brands were indicative of the
minority interests that would profit off the agreement, while the majority of Costa Ricans, or “authentic” Costa Rica (el Pueblo), was debased.
Tlc Costa Rica

TLC y Educación (primera parte)
TLC y Educación (primera parte)
TLC y Educación (primera parte)

Quiznos Sub

1:57 / 7:01

TLC y Educación (primera parte)

Subway
TLC y Educación (primera parte)
This profiteering was made more tangible through cartoons included in the “no” campaign, which laid bare the power dynamics at work with CAFTA-DR. Brands, and a few fat, wealthy, transnational actors, were constructed as feeding off, and taking advantage of, the smaller, more authentic Costa Rican Pueblo. This power dynamic was pervasive in the “no” campaign, as the images clearly illustrated how CAFTA-DR was developed by, and therefore benefitted, the most powerful actors in the world – the U.S. government, Costa Rican officials, and transnational corporations.
No te la vas a acabar

Tlc Costa Rica
No te la vas a acabar

No te la vas a acabar
NO TLC PUNTARENAS

Cualquier noche puede Salir el Sol
A sense of gluttony, as illustrated above, is communicated throughout the discourse, drawing further focus on the “big versus little” and the “us versus them” aspects of the authentic and inauthentic. At issue is the definition of “us,” with each side struggling to make their own definition of the “authentic us” hegemonic. Through the imagery above, we see how the “no” campaign posits government “fat cats” as the “them” – those who are carving up and selling out Costa Rican social services to the highest bidders.

The “no” campaign also calls out this power and benefit asymmetry verbally, and questions the administration’s definition of “us.” In “Oscar Arias the Blackmailer” (Oscar Arias Chantajista) the video points out how the administration has had to “buy votes” (comprar votos) and criticizes Arias’ use of the term “we” (nosotros) in his communication of the benefits of the agreement. According to the video, by “we” (nosotros), Arias really means the transnational corporations
(transnacionales), the Administration (los hermanos Arias), the corporate media
(Grupo La Nación, Repretel, Teletica), local business magnates (Empresarios locales)
and corrupt politicians (políticos corruptos).

The “Yes” Campaign on CAFTA-DR: Demagogues and Communists

As seen in the news oriented discourse, and suggested by the infamous
memo sent by Vice President Kevin Casas, and PLN Legislator Fernando Sánchez,
the “yes” campaign fully embraced a strategy of fear mongering to discredit the
opposition to CAFTA-DR. In the video “Those who oppose CAFTA-DR” (Quienes se
oponen al TLC), the “yes” campaign emphasizes foreign agents, including images of
newspaper headlines that read: “In Venezuela they say ‘no’ to CAFTA-DR” (En
Venezuela dicen “no” a TLC); and “Fidel Castro fears fraud with the referendum in
Costa Rica” (Fidel Castro teme fraude con el referéndum en C.R.).
Quienes se oponen al TLC

Quienes se oponen al TLC
Whereas the “no” campaign used generic images of monsters and fictitious villains, the “yes” campaign tapped into fears of real actors, who are largely demonized through mainstream news discourse not only in Costa Rica, but also around the world. Notorious images of Fidel Castro, Hugo Chavez, and Daniel Ortega are presented as “Those who are against CAFTA-DR” (Quienes se oponen al TLC) and “The Faces of No” (Las Caras del No), suggesting that these forces not only represent resistance to CAFTA-DR, but are the drivers of that position. As such, resistance to CAFTA-DR is attributed largely to the “communist interference” (ingerencia comunista) of Fidel and Hugo, rather than the authentic Costa Rican Pueblo.

**Quienes se oponen al TLC**
Quienes se oponen al TLC

Las Caras del NO
Las Caras del NO

Las Caras del NO
Chavez y Costa Rica

Comunismo en Costa Rica

Cada vez es más visible la inercencia comunista

Fidel Castro y Hugo Chávez se han entrometido
These images are successful for the “yes” campaign because they speak directly to the “personal consumption and an appreciation of free-market capitalism” that Kumar (2005) suggests is cornerstone to the cold war rhetoric of national identity. That is, these characters represent an ideology that (supposedly) threatens the very existence of the middle class. Communism is conflated with socialism, and deployed as a threat to private property and individual choice – two terms that are reflective of the broader discourse of neoliberalism outlined in Chapter 1. By parading these notorious actors as proponents of CAFTA-DR, the “yes” campaign distinguishes an “us” (Costa Ricans, namely of the middle/bourgeoisie class) and a “them” (Castro, Chavez, Ortega, etc...). Van Vuuren (2005) indicates how successful such a discursive strategy can be in terms of fortifying the image of the government as protector of the national interest:

Evil conspirators come in as handy scapegoats to rationalize any apparent failures to fulfill the mission, and serve as further inspiration to intensify the struggle through more intense support for the national leadership against the nation’s enemies. (p. 62)

The “evil conspirators” are localized by the “yes” campaign by correlating them with the labor movement against CAFTA-DR in Costa Rica, and with opponents to CAFTA-DR in the legislature. The “communist deputy” (diputado comunista), José Merino, for instance, is shown as clapping in support of Chavez and Ortega at the “summit of leftist presidents” (cumbre de presidentes izquierdistas), while legislative opponents are more generally depicted in proximity to communist references such as the color red, the hammer and sickle, and pictures of communist luminaries, such as Marx and Lenin. In the images from “the mysterious person” (El personaje Misterioso) the notorious character wearing the black skull-cap and red bandana
covering his face like a bandit is none other than PAC leader Ottón Solís. This imagery of “masked opposition,” it will be seen, was a key visual used by the “yes” campaign to delegitimize the social movement against CAFTA-DR in the eyes of middle class voters, the primary target audience of the “yes” campaign.

**Quienes se oponen al TLC**
Comunismo en Costa Rica

Los grupos extremistas han infiltrado el PAC

A Solís le hacen inmanejable su Paciencia

El personaje Misterioso

Comité Patriótico
Even the more lighthearted “hearts” (corazones) videos make the communist connection. In chronicling the surprising love affair between a “heart of no” (corazon del no) and a “heart of yes” (corazon del sí), the “yes” campaign reminds viewers that the “heart of no” is communist by highlighting a gift he gave to his “yes” sweetheart – a photograph of Lenin. The position of “no” is further discredited as the corazón del sí asks, “who is this?” (¿quién es?), and to the answer, “Lenin,” she jokes, “Lenin? Like Lenny Kravitz?”

Corazones: "Lenin"

In terms of the union movement, as in the news-oriented discourse, labor actors are largely discredited by the “yes” campaign as acting as pawns for the “demagogues and communists” working against CAFTA-DR. According to the video “Communism in Costa Rica (Comunismo en Costa Rica), “the communist strategy in our country is” (La estrategia comunista en nuestro país es) to “strengthen unions and extremist groups” (Fortalecer sindicatos y grupos extremistas), while the video “Chavez and
Costa Rica” (*Chavez y Costa Rica*) more clearly labels the “position” (*posición*) of Costa Rican “unions” (*sindicistas de la ANEP y del ICE*) as “extreme” (*extremista*).

**Comunismo en Costa Rica**

La estrategia comunista en nuestro país es:

Fortalecer sindicatos y grupos extremistas

**Chavez y Costa Rica**

NO, no es ninguna casualidad la posición extremista de los sindicalistas de la ANEP y del ICE
The extreme position is one of revolution – which is delegitimized and constructed as inauthentic by the “yes” campaign. Revolution is connected with “democracy in the streets” (*democracia de la calle*), which is delegitimized by the “yes” campaign as “wanting to destabilize the government” (*quiere desestabilizar el gobierno*). Revolution is not only tied to the “communist” proddings of Castro, Ortega, and Che Guevara, but protestors are also represented through scary images of masked militants and anarchy, an image already seen in the framing of Ottón Solís. Together these images frame the social movement against CAFTA-DR as a threat to *el Pueblo* and the authentic aspirations of Costa Rica.

**Comunismo en Costa Rica**
Comunismo en Costa Rica

Repudiar y difamar los actos del Poder Judicial

La extrema quiere desestabilizar el Gobierno

El TLC es para mí
Quienes se oponen al TLC

Quienes se oponen al TLC
Montaldo (2005) would argue that these images are consistent with the power structure of the “modern order,” where the ruling class controls the images and definitions of national identity. To maintain the status quo, these power brokers construct the masses “as a danger, the source of social chaos, the root of violence and a threat to established institutions” (p. 221). Given that the “no” campaign relied heavily on images of the sheer size and number of the “masses” in opposition to add credibility of the movement, this framing becomes a site of a clear hegemonic struggle.

Within this struggle, the “yes” campaign appeared to dominate, as the “no” campaign took a somewhat reactive position. In the video, “What is CAFTA-DR?” (¿Que es el TLC?), the “no” campaign reported a UN poll that found 56% of Costa Ricans “did not know” what CAFTA-DR was, and highlighted the “less than convincing” reasons some had for supporting it. According to one respondent, “I support it, because I’m not communist” (yo lo apoyo, porque no soy comunista).

Similarly, the video “I’m not...” (No Soy...) showcases opponents who proclaim: “I’m not a unionist” (No soy sindicalista), “I’m not a communist” (No soy comunista), “I’m in solidarity” (Yo soy solidario) – implying with, el Pueblo. This illustrates how the “McCarthyism” of the “yes” campaign resonated with Costa Ricans and shaped the counter discourse of the “no” campaign, calling to mind a point made salient by Hall (1982):

Opposing arguments are easy to mount. Changing the terms of an argument is exceedingly difficult, since the dominant definition of the problem acquires, by repetition, and by the weight and credibility of those who propose or subscribe to it, the warrant of ‘common sense.’ (p.81)
Costa Rica S.A.: ¿Qué es el TLC? (Parte 2)

No soy...
Thus, the struggle over definitions of, and claims of authenticity to, *el Pueblo* begin to be drawn into focus through the campaign discourse. The examples above
illustrate one way in which the “no” campaign laid claim to authenticity – by throwing off the negative frame of “communist” and “unionist” applied by the “yes” campaign. On the other hand, the “yes” camp also laid claim to its’ authenticity as representing el Pueblo, in direct contrast to the PAC party, which it represented as “burying” CAFTA-DR in the legislature under mountains of motions, delaying the process, and “making a joke” (burlan) of “the will of the people” (voluntad del pueblo).

Las destructoras (de la democracia) mociones del PAC
El personaje Misterioso

TLC COSTA RICA

¡Ya es hora de cumplir la voluntad del pueblo!
At issue is not only defining the “will of the people,” but also discerning which “people” are most authentic in the CAFTA-DR drama. The following section presents more clearly how each side represented its vision of the authentic Pueblo through images, and illustrates how this imagery converged and diverged along key themes in the discourse.

**Authenticity, “el Pueblo,” & the Struggle for Hegemony**

In many ways, the imagery of el Pueblo was relatively consistent across both campaigns, with similarities often more pronounced than differences. On the whole, both sides privileged families and children, the countryside and farmers, along with workers more generally, as authentic representations of el Pueblo. The Costa Rican flag was also an important fixture in the representations offered by both sides. The similarities are so strong that, when taken out of context, it is at times impossible to
distinguish between “no” and “yes” imagery. According to the “no” campaign *el Pueblo* looks like this:

**Unamos las Manos Contra el TLC**

![Image](image1)

![Image](image2)
La Tosca Herramienta 4

Corazón de la Patria-Corazón de la Victoria (1,30)
Unamos las Manos Contra el TLC

La Tosca Herramienta 3
For the most part, the “yes” campaign used similar images to construct its’ version of the authentic Costa Rican pueblo and to connect CAFTA-DR with a more egalitarian image that obscured CAFTA-DR as a class-based issue.
Costa Rica dice Sí!

Por eso digo Sí al TLC!
Por eso digo Sí al TLC!
Por eso digo Sí al TLC!

El Pueblo Unido Sí TLC
El TLC es para mi

Por eso digo Sí al TLC!
Costa Rica dice Sí

Por eso digo Sí al TLC!
Por eso digo Sí al TLC!

Por eso digo Sí al TLC!
The key differences, seen above, are of “industrialization,” “development” and “advancement – all of which are depicted positively by the “yes” campaign and somewhat more negatively by the “no” campaign. That is, while inauthentic images relied heavily on the “pirates and profiteers” and the “demagogues and communists” frames presented above, the “no” campaign also included images of an “inauthentic,” polluted/industrialized Costa Rica that would result from CAFTA-DR.
No al Tlc

Tlc Costa Rica
Another strong inauthentic image presented by the “no” campaign was that of a militaristic Costa Rica. Given that Costa Rica’s army was disbanded after the 1948 civil war, Costa Ricans have long valued peace, and the prosperity that comes from investing in social services and institutions rather than the military. CAFTA-DR would threaten this value, and the subsequent peace and prosperity enjoyed by the nation, by allowing for the manufacture of arms in Costa Rica. The opposition argues this point both in the campaign discourse here, and also in the news discourse reported on in Chapters 5 and 6.
Cualquier noche puede Salir el Sol

Costa Rica S.A parte I
Where the “no” campaign sees death and destruction, the “yes” campaign sees opportunity and progress. As such, the “yes” campaign seems poised, looking forward through images of technology, industrialization, “walking” (andando), and “doorways” (puertas) to communicate its message of “advancement” (adelante).

Por eso digo Sí al TLC!
Costa Rica dice Sí

Por eso digo Sí al TLC!
This is supported somewhat by the almost complete absence of historical images in the “yes” campaign imagery, while the “no” campaign incorporated them much more heavily. On the whole, the “no” campaign struck a more nostalgic tone, using vintage footage from advertising reels and photos of historic figures to suggest either an idyllic past, or to highlight the shady history of exploitation at the hands of transnationals that informs the current situation of CAFTA-DR.

**El pueblo dice NO al TLC Costa Rica**
TLC Costa Rica - Por qué DIJIMOS y DIREMOS NO

Lo que hace el avestruz - NO TLC
In addition to defining *el Pueblo*, both sides also sought to define the “will” of *el Pueblo* and delineate authentic from inauthentic means through which to resolve CAFTA-DR. In terms of the “will of the people,” earlier evidence from the news-oriented discourse indicates how the “yes” campaign constructed the will of the people as operating through two sources – elected government officials and the public referendum. This privilege of institutional routes to resolution continued in the campaign oriented discourse, with the “yes” campaign constructing the will of the people as being expressed solely through the referendum.
TLC-PACvsAgenda3

TLC COSTA RICA

es claro intento de violentar la voluntad popular
SI AL TLC

TLC Costa Rica
On the other hand, the “no” campaign clearly privileged the movement in the streets as expressing the will of the people, despite the results of the referendum. Several videos argue that the “struggle” over CAFTA-DR continues, and that the fight isn’t over. Set to the tune of “Here Comes the Sun” by The Beatles, the video *Ya viene el Sol y el Corazón* suggests that the “smiles are returning to the faces” of the opposition, and promises that the struggle “has just begun” (*esto apenas empieza*). Dedicated to the 48% of Costa Ricans who “did not sell out the country” (*no vendí mi país*) to CAFTA-DR, *La lucha no ha terminado*, asks, “and are we going to remain silent?” (*y nos vamos a kedar callados?*)\(^70\) To which, the answer is a resounding “no sir” (*no señor*) followed by a visual representation of the social movement in the street bearing the label, “the true” (*los verdaderos*). On the whole, the “no” campaign incorporated images of the social movement in the street far more regularly than the “yes” campaign.

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\(^70\) The videographer is using a colloquial form of phonetic spelling here that is popular in the “punk/anarchist” subculture. The traditional spelling of “kedar” is “quedar” – the definition, “to remain,” remains constant across spellings.
Ya viene el Sol y el Corazón!!

La lucha no ha terminado

Y nos vamos a kedar callados?
This struggle for authenticity was played out across the campaigns in both implicit and explicit ways. Implicitly, both sides constructed the “inauthentic other” as being defeated by the “authentic pueblo.” For the “yes” campaign this meant Oscar Arias and beloved national soccer star Hernan Medford defeating Chavez, Ortega, and PAC opponents on the soccer field, perhaps the most sacred ground for many Costa Ricans.
Medford y el TLC

Medford y el TLC
Medford y el TLC

[Image]
Through this video, we see a somewhat shocking and racist construction of Medford as a black man. His caricature drawn, oversized lips seem to be pulled straight from a Jim Crow era stereotype. While Costa Rica is often thought of as nation with relative racial harmony, Spence (2000) points out that racial prejudice exists, as evidenced by geographic segregation, with blacks concentrated on the Caribbean coast where they live in “deplorable conditions.” Spence (2000) personally experienced racial bias when travelling in Costa Rica – “three of us who were African American were constantly charged higher prices than our white counterparts.” This experience, stemming from prejudice towards blacks is echoed through the video, as Medford’s “blackness” is poked fun of and used a trope to call into question his credibility as a supporter of CAFTA-DR.

Supporters of CAFTA-DR are, more generally, constructed as not only lacking credibility but also being corrupt. The “corrupt” official actors working to push
through CAFTA-DR are dealt with in short shrift by the “no” campaign, which presents itself as authentic and acting for the benefit of el Pueblo. The “no” video “39 corrupt politicians balancing...” (39 corruptos de balanceaban...) portrays the opposition as “sweeping” up the corrupt actors and “keeping Costa Rica clean” (mantengamos limpia Costa Rica).

39 Corruptos de balanceaban...
Similarly, *el Pueblo* is constructed as having the power to “shake” the neoliberal threat of CAFTA-DR to its core. As reported earlier in this chapter, in “Oscking Kong,” the strong arm of *el Pueblo* emerges to thwart the villain, while in “The Last Christmas,” bat wielding Costa Ricans successful drive “Osgrinch” out of town before he can steal their most precious gifts – the “social guarantees” (*garantías sociales*) of Social Security (*CCSS*) and democracy (*democracia*). In all these examples – whether from the “yes” or “no” campaign – the “authentic” is portrayed as overcoming the “inauthentic” other. Nowhere, however, is the battle for authenticity made more explicit than through the discourse of the “heart” (*el corazón*), which, from the onset was used as both a logo and an appeal by the “no” campaign.
Lo que hace el avestruz - NO TLC

Testimonial de Pinocho sobre el tic
Ya viene el Sol y el Corazón!!

Canción del No: Lo que hace el avestruz
¡No a Repretel, Grupo Nación y Amelia!

Cubo Corazón TLC

Piénselo muy bien
Cualquier noche puede Salir el Sol

La Paz: el camino del TLC
The “yes” campaign began to use similar imagery and appeals in its own discourse.

According to the song accompanying the “Why I say Yes to CAFTA-DR” (*Por eso digo Sí al TLC*) video, proponents say yes “with their hearts and minds” (*con mi corazón y mente*) and the heart image is included as part of the *Sí* logo and slogan across “yes” campaign discourse.
Costa Rica dice Sí!
Perhaps most striking was the series of “yes” videos that chronicled the surprising love affair between the “heart of no” (el corazón del no) and the “heart of yes” (el corazón del sí). The videos focus on a female “heart of yes” (el corazón de sí) as she talks to an off camera “heart of no” (el corazón del no) about their relationship and love for one another. El corazón del sí voices surprise that they “have so much in common” (tengamos tanto en común) – a shared history and love for Costa Rica, as illustrated by a statue of Juan Santamaría\textsuperscript{71} given as a gift from el corazón del no and accepted with great appreciation by el corazón del sí. Each video closes with a tuxedo-donned announcer who proclaims, ”the people supporting CAFTA-DR have a heart, even though you don’t believe it” (la gente del sí sí tiene corazón, aunque usted

\textsuperscript{71} American filibuster William Walker invaded Costa Rica with a Nicaraguan army in 1856 – a force that was pushed back to Nicaragua by the Costa Rican army. As the army had Walker’s fort surrounded and was doing battle, a young drummer boy, Juan Santamaría set the fort on fire, an act that was pivotal in bringing the Costa Rican forces to victory. While the Costa Rican forces won the battle, young Juan himself did not survive, thus earning him a special role as national hero.
no lo crea). These videos are clearly targeted to those on the “no” side, and suggest solidarity between the two sides. After all, most nationalist discourse is about erasing gender, race, and class differences in favor of a broader, overarching and homogenous national identity.

**Corazones: "Juan Santa Maria"**
In her study of the UPS strike of 1997, Kumar (2005) highlights the role of the mass media in elevating certain definitions of national identity to a high level of “taken-for-grantedness.” In the case of the media coverage of that strike, Kumar suggests that the media constructed worker’s action on the basis of a “nationalist narrative” that promoted “cross-class solidarity or a common ‘national interest’” (p. 132) that obscured the underlying class conflict. As seen above, the “yes” campaign used a similar “nationalist narrative” in their framing of CAFTA-DR in Costa Rica. That is, through use of the term, images, and sentiment of *el Pueblo*, the “yes” campaign “disseminated narratives of a unified and ethnically homogenous pueblo” (Taylor, 2005, p. 77). In this specific manifestation of *el Pueblo*, the “yes” campaign uses the imagery of *el corazón* to not only erase class and race differences – as evidenced by the whiteness of the actors, the style of dress (“tuxedo-donned”) and
the depiction of a professional workplace (call center) - but to also construct CAFTA-DR as benefitting all Costa Ricans.

With both campaigns using the imagery of, and appeals to, el corazón, each campaign responded differently. That is, as seen above, the “yes” campaign sought to smooth out differences between the “yes” and “no” camp – suggesting that Costa Rica is still one country of Costa Ricans, who share much in common. The “no” campaign, on the other hand, responded by distinguishing between “true hearts” and the hearts presented by the Sí campaign.

Corazón de la Patria-Corazón de la Victoria (1,30)

In the video, “Announcement of the Heart of No” (Anuncio Corazón del No), the campaign directly addresses the unabashed cooptation of el corazón by the “yes” camp. A female announcer begins, “in your life you are going to know many hearts” (en la vida vas a conocer muchos corazones), some are “egotistical” (egoistas), others “look for power” (busca poder), and others “don’t think about you” (no piensa en vos)
– these hearts are the “hearts of yes.” The “heart of no,” on the other hand, is “a heart that loves our country” (un corazón que ama nuestro país)

**Anuncio Corazón del NO Television Teletica**

![Video still image of a woman speaking](image)

En la vida vas a conocer muchos corazones.

**Anuncio Corazón del NO Television Teletica**

![Video still image of a sign](image)

Otro corazón que no piensa en vos.
These final examples illustrate, quite literally, how both campaigns struggled for the “hearts” of Costa Ricans. Earlier examples provided in the chapter suggest that the corazón del no – or the “no” campaign’s definition of el Pueblo – is more nostalgic and appeals to Costa Rica’s history for its authenticity. The corazón del sí – or the “yes” campaign’s definition of el Pueblo – recognizes Costa Rica’s history, yet clearly appeals to the future, technology and industrialization for its authenticity.

**Conclusion**

As illustrated throughout the chapter, the campaign discourse represents the most heated moments of the CAFTA-DR debate in Costa Rica. Despite emerging from very different campaign structures – the “yes” campaign a heavily funded “slick” mass media campaign and the “no” campaign a barely funded grassroots,
alternative media effort – targeting different audiences – the “yes” campaign speaking to middle and upper bourgeoisie classes and the “no” campaign speaking to working, indigenous, and peasant classes – the two campaigns mostly used the same terms and images – *el Pueblo* and *el corazón* – to construct two very different visions of authentic Costa Rican national interests. Each side sought to establish its vision and position as “most authentic” and representative of Costa Rica, while delegitimizing and discrediting the opposing vision.

For the “no” campaign this meant pointing out the class based struggle that underpins CAFTA-DR, through the construction of proponents as “pirates and profiteers.” President Arias, along with his government, was portrayed as thoroughly corrupt, yet also vulnerable to the power of *el Pueblo*, which could thwart the grand scheme of CAFTA-DR. For the “yes” campaign this meant connecting opposition to CAFTA-DR with “demagogues and communists” – namely Fidel Castro, Hugo Chavez, and Daniel Ortega. Through this connection the “yes” campaign delegitimized not only the Costa Rican labor movement, but also more general social movement against CAFTA-DR by presenting the labor position as “extreme” and protesters as violent anarchists. This served to privilege the institutional route to resolution – the referendum – as the only legitimate means through which the will of the people could be expressed.

The “will of the people” is at the core of the claims to authenticity, and the definition of *el Pueblo*. Despite competing claims of authenticity, the structure and financing of each campaign speaks volumes in terms of assessing which speaks more clearly of, and more truly from, the voice of the people. The “no” campaign
was organized largely at the grassroots level, and operated in a decentralized fashion – a grand coalition of “patriotic committees” – while the “yes” campaign was organized along governmental lines, the COMEX, Chamber of Commerce, along with the industry group Alianza de Sí and the well-heeled Por Costa Rica. While the imagery of the authentic Pueblo was relatively consistent across both sides (ie: children, families, flags, the countryside, and peasant farmers) primary appeals to authenticity emerged from disparate points that highlight the differences in structure and funding. The “no” campaign looked back to Costa Rican history and nostalgia for its source of authenticity, a heritage that is shared by all Costa Ricans. The “yes” campaign looked forward to technology and industrialization for its source of authenticity, factors of production owned by, and for the benefit of, a handful of local and transnational capitalists. These aspects of the global and the local that come into play in the struggle over defining the authentic Costa Rican Pueblo will be addressed more fully in the concluding chapter, as they illustrate the pressures from above and below on the discourses of the middle.
References


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Chapter 5

La Nación’s Framing of CAFTA-DR: Making CAFTA-DR Happen

This chapter reports the findings of a frame analysis conducted on La Nación’s coverage of CAFTA-DR. 986 articles sourced from before the signing of the agreement (2003) through one week after the public referendum that ratified the agreement (October 14, 2007) were analyzed using the grounded theory approach described in Chapter 3. Table 5.1 outlines the data set.

<table>
<thead>
<tr>
<th>Timeframe</th>
<th>La Nación</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between Signature &amp; Election (May 2004-Feb. 2006)</td>
<td>196</td>
</tr>
<tr>
<td>After the 2006 Elections (May 2006-March 2007)</td>
<td>444</td>
</tr>
<tr>
<td>Institutionalization (April 2007 – October 2007)</td>
<td>306</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>986</strong></td>
</tr>
</tbody>
</table>

Table 5.1: La Nación’s Data Set: Article count by timeframe.

On the whole, La Nación framed CAFTA-DR as “a good agreement” (un buen acuerdo) that, although it would not solve all of Costa Rica’s problems (no es panacea), was a “doorway” (puerta) to the U.S. market, that will either be thrown open, or will be “shut” (cerrará) forever if Costa Rica rejects CAFTA-DR. La Nación argues for CAFTA-DR using much of the same discourse as the NY Times – competitiveness, jobs, market access, investment, economic development and democracy. Most significant is La Nación’s efforts to define democracy as operating through government institutions and institutional actors, rather than operating through the social movement in the streets. As such, “resistance from above” (through oppositional parties in the legislature) is legitimized, and contained, while

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72 As mentioned in the previous chapter, the timetable for the sample CAFTA-DR proved somewhat elusive given that CAFTA-DR was an “alive” issue in Costa Rica. As a result, October 14, 2007 was used as an end date for the formal analysis because it allowed for the analysis to move forward and be completed in a reasonable period of time.
“resistance from below” (through social action in the street) is delegitimized and written off. However, the “people” are always intoned, much in the same way as they were intoned by Margaret Thatcher as she reconciled “individuals,” “family,” and “people” to present a more manageable alternative to “society” in her famous quote – "There is no such thing as 'society'. There are just individuals and their families."73

While the above suggests a negotiated aspect in *La Nación’s* discourse, this negotiation was not nearly as strong as the reflection of the neoliberal and *NY Times’* discourse in *La Nación*’s framing of CAFTA-DR. In constructing a nation that is “polarized and paralyzed” (*polarizado y paralizado*) *La Nación* frames Costa Rica as being left behind without CAFTA-DR, and advocates moving forward in approving the agreement as the best course of action for the nation. This is reminiscent of the “progress” packaged used by the *NY Times* to frame CAFTA-DR and illustrates how the broader discourse of neoliberalism was incorporated into *La Nación*’s framing.

The following sections report findings in more details, based on the temporal phases of resistance defined by Trejos (2007) and outlined in Chapter 3.

**Phase One: Before the Signing of CAFTA-DR (2003-February 1, 2004)**

*”un buen acuerdo”*

In this earliest phase of the coverage, *La Nación* introduces CAFTA-DR to Costa Rica in a largely positive light, emphasizing that CAFTA-DR is a “good agreement” (*un buen acuerdo*). The “goodness” of CAFTA-DR is communicated in both the present tense – through the emphasis on the benefits free trade

agreements such as CAFTA-DR will bring to Costa Rica – and in the future tense, as in the “good agreement” that can be produced by Costa Rica, working with the United States and other negotiators, to build a better deal.

In the present tense, La Nación frames CAFTA-DR as a “gateway for development,” a “window of opportunities,” a “tool” to help with the process of democratization, and a “model of continental integration” that consolidates “democracy, security, and sustainable development” in the region.

En cuanto al Tratado de Libre Comercio (CAFTA, por sus siglas en inglés), dijo que es una ventana de oportunidades (Osorio, 2003, October 31)

la región "está comprometida con el proceso de democratización" y el CAFTA "es una herramienta para conseguir este objetivo" (Kerrigan, 2003, November 18)

Aseguró que ese tratado debe ser visto como un modelo de integración en el continente, cuyos principales objetivos son la consolidación de la democracia, la seguridad, el desarrollo sustentable y la integración en Centroamérica. (Centroamérica Hoy, 2003, December 9)

CAFTA-DR, as a “gateway,” “window,” or “tool,” not only brings democracy, but also more tangible benefits such as “market access,” enhanced “investment,” and “job generation” – benefits which mimic, almost exactly, the terms of the debate discussed in the previous chapter as being set by the NY Times.

si se aprobase, aumentaría su acceso a los mercados de Estados Unidos y mejoraría las perspectivas de atraer inversión. (de Ferranti, 2004, January 29)

En el campo económico, no existe la menor duda de que el TLC traerá un incremento considerable en el comercio y en la inversión en nuevas actividades y en infraestructura.” (Ruiz, 2004, February 4)

el CAFTA representa para Centroamérica una importante puerta para el desarrollo, ya que generará empleos y aumentará el comercio bilateral”. (Economía en el Mundo, 2003, August 7)
While the benefits were clearly communicated and emphasized by *La Nación*, the disadvantages, or potential harm of the agreement on Costa Rican society is virtually absent in the coverage. *La Nación* reports on “sensitive themes,” such as agriculture and textiles that make arriving at an agreement difficult for the negotiating parties, but in no way impossible. The “sensitive themes” coalesce around U.S. protections of its markets – through subsidies and quotas – and, as in the *NY Times*’ coverage of the agreement, sugar, textiles, and agriculture become key battlegrounds of the negotiations. According to *La Nación*, “sugar” is one of the most sensitive problems of the negotiations because U.S. producers have a “defensive interest,” while Central Americans have an “offensive interest.” Similarly, in their “complicated negotiations” for a free trade agreement with Central America, the U.S. “insists” on limiting the textile sector of this region by restricting “the places it purchases” its “raw materials” in order to benefit U.S. producers. This critique is shared by the *NY Times*, which viewed the textile restrictions as weakening CAFTA-DR, and serving up “free trade with an asterisk.”

Además del sector agrícola, otro tema "sensible" en las negociaciones del tlc es el textil, sobre los cuales sería difícil llegar a acuerdos en la actual ronda (Economía en América, 2003, April 3).

Ayala dijo que el azúcar es uno de los problemas más sensibles de las negociaciones debido a que los productores estadounidenses tienen "un interés defensivo" y los centroamericanos "un interés ofensivo" (Economía en América, 2003, November 7)

En sus complicadas negociaciones para un tratado de libre comercio con Centroamérica, EEUU insiste en limitar el sector textil de esa región al restringir los lugares de compra de su materia prima para beneficio de sus productores. (Acebes, 2003, December 13).
La Nación, however, downplays these “sensitive themes” and presents them as merely “speed bumps” in the progress of CAFTA-DR, that “will not stop the process” of CAFTA-DR. Where the coverage could have pointed out the asymmetries between the U.S. and Central American interests, La Nación instead chooses to focus on the negotiation process, and the efforts of the “chief negotiators of the isthmus.” The coverage highlights the “negotiation table,” which it describes as “heated up” by sensitive issues such as agricultural subsidies, but remains a forum for resolution where the “best negotiation team” works hard to “reconcile conflicting positions” and protect national interests in their construction of CAFTA-DR as a “good agreement.”

Los jefes de delegación del istmo, fieles al estilo diplomático que caracteriza estos encuentros, aseguraron que solo se han limitado a intercambiar puntos de vista acerca del agro y que esto no significará una traba en el proceso. (Jiménez, 2003, February 26)

"Nosotros consideramos que es una distorsión al comercio y una desventaja a los productores agrícolas centroamericanos, esa es nuestra posición, nosotros la hemos (expresado) a los negociadores de los gobiernos y estamos dispuestos a discutir el tema en la mesa", afirmó Salaverría. (Economía en América, 2003, April 3)

"las estamos manejando con el mejor equipo negociador de Centroamérica, donde se trata de conciliar posiciones encontradas"(Economía en América, 2003, May 20)

Even though La Nación’s framing emphasized the process of “good” negotiators working hard for a “good” agreement, the coverage did include criticism and opposition to CAFTA-DR. The terms of dissent, however, were narrowly constructed as relating to two interrelated issues – transparency and participation. Both here, and in the oppositional discourse of ANEP, the earliest criticism of
CAFTA-DR in Costa Rica was limited to accusations that the negotiation process “lacked transparency.”

Miembros de un grupo denominado “Coalición para una economía más humana” increparon fuertemente a los negociadores por lo que consideran falta de transparencia en este proceso. (Jiménez, 2003, February 25)

algunos/as congresistas el tema del CAFTA se ha reducido a denunciar lo que llaman “falta de transparencia” en las negociaciones comerciales entre Centroamérica y los Estados Unidos y anuncian –por anticipado– su oposición a él. (Chinchilla, 2004, January 11)

Fundamental to this criticism was that information was not being shared with the general public. Proposals regarding key issues such as American subsidies, for instance, “were not revealed” to civil society, even though CAFTA-DR is a “public issue of national and regional interests” that “makes the participation of different sectors in the negotiations process necessary.”

Según fuentes oficiales, Centroamérica presentó hoy a EEUU una propuesta de textos en el sector agrícola, que no fue revelada, pero la cual incluyó el tema de los subsidios estadounidenses. (Economía en América, 2003, April 3)

el TLC con EEUU “es un asunto público de interés nacional y regional” y por ello es necesaria la participación de distintos sectores en el proceso de negociaciones. (Economía en América, 2003, June 27)

Thus, the problem with CAFTA-DR, as phrased by La Nación’s coverage, was that the process needed broader participation. Participation, however, takes time, and, as such, an additional criticism was that the “the governments of the region were in a rush” to sign an agreement with the United States, negotiating in just under one year – “without reaching the necessary local consensus.” The discourse notes that a similar free trade agreement between the U.S. and Chile “took 6 years” for an agreement to be reached.
También criticó la prisa de los gobiernos de la región por firmar el acuerdo comercial lo antes posible con Estados Unidos, "previsto para diciembre próximo y sin llenar los necesarios consensos locales, cuando a Chile le llevó seis años su TLC con ese país". (Economía en América, 2003, August 5)

As seen above, La Nación emphasized the legitimacy of institutional participation, at the negotiation table, in terms of crafting a “good” CAFTA-DR. The countries needed to “redefine the rhythm and pace of the negotiation process” and “install national and regional spaces to process and elaborate on the proposals.” If Central America is “壓ured into signing the agreement by a certain date,” it would be at the “cost of sacrificing the interests and well-being of our people.”

La Iniciativa CID dice que su petición es "hacer un alto en el camino, de cara a redefinir los ritmos y los tiempos del proceso negociador, re diseñar los esquemas de participación, instalar espacios nacionales y regionales de procesamiento y elaboración de propuestas y generar estudios adecuados de impacto".

Sin embargo, consideró que "no podemos atarnos a una fecha apresurada de firma del TLC a costa de sacrificar los intereses y bienestar de nuestros pueblos". (Economía en América, 2003, June 27)

At one point, La Nación suggests that Central America reconsider its negotiation with the United States because other countries – like Brazil and Venezuela – are also interested in a trade agreement, but they “don’t want to kill themselves,” like Central America, by moving into something “too quickly.” This suggestion of a true alternative to CAFTA-DR is a rare commodity in the discourse, which largely parrots the sentiment “from above” – that “there is no alternative” to the neoliberal free trade of CAFTA-DR.

Núñez llamó a los gobiernos centroamericanos a reflexionar sobre su negociación con Estados Unidos, porque países como Brasil y Venezuela "también están interesados en un acuerdo comercial, pero no quieren suicidarse, como Centroamérica, en algo rápido". (Economía en América, 2003, August 5)
On the whole, La Nación’s early coverage of CAFTA-DR – similar to the NY Times – limits criticism of the agreement to one of process, rather than content. This suggests that the problems of CAFTA-DR are manageable and can be solved institutionally, through better negotiation, in addition to a broader, lengthier period of debate. Save for the August 2003 mention of “alternatives” such as Brazil and Venezuela, La Nación presents CAFTA-DR as the only option in terms of “free trade.” This presents the region with “two outcomes” – “subscribe to a bad treaty or don’t subscribe to it.” A sentiment that is reminiscent of that of the Times – “a bad CAFTA-DR is better than no CAFTA-DR at all.” Given the benefits attributed to CAFTA-DR throughout La Nación’s coverage, the choice is clear – Costa Rica will “face more risks staying outside CAFTA-DR than incorporating itself into the agreement.”

Ante los avatares del Tratado de Libre Comercio entre Centroamérica y Estados Unidos (CAFTA por las siglas en inglés) (TLC), dos resultados son indeseables para la economía costarricense: suscribir un mal tratado y no suscribirlo.

En este sentido, enfrentaremos más riesgos quedando fuera del TLC que incorporándonos. (García, 2003, November 19)

The emphasis on working within the neoliberal system for a “good agreement” that runs throughout this phase of discourse is encapsulated in a quote from one Sandinistan (Nicaragua) legislator sourced by La Nación, “there doesn’t exist an opposition ‘per se’ to CAFTA-DR, we just need a moratorium so that the region can create an internal consensus about its benefits.”

Según el legislador sandinista, "no existe una oposición ‘per se’ al TLC Centroamérica-Estados Unidos (CAFTA por sus siglas en inglés) sino que se requiere de una moratoria para que en la región haya un proceso de consenso interno sobre sus beneficios". (Economía en América, 2003, August 5).
Phase Two: Between Signature and the February 2006 Election (May 2004–February 2006)

“polarización y paralizado”

During this second phase of the discourse, *La Nación* framed CAFTA-DR as an issue that has caused a “polarization” (*polarización*) of Costa Rica society, which in turn, had “paralyzed” (*paralizado*) the movement of the agreement through the ratification process. As such, the second phase of coverage emphasizes the nature of the polarization – namely, forces working against CAFTA-DR – and the reasons for support and/or opposition to CAFTA-DR. In this way, the coverage delineates the “who” of CAFTA-DR, the reasons “why” each camp holds their positions, and “what” CAFTA-DR is, in terms of the benefits or injuries it brings to Costa Rica.

According to *La Nación*, union members/groups/labor, university students, peasant farmers, representatives of the textile and sugar industries in the United States, environmentalists, human rights groups, groups of women, transportation workers, ecologists, teachers/professors/educators, indigenous people, socialists and leftists, U.S. democrats, the FMLN, and other “social organizations” were the core opponents of CAFTA-DR.

Los manifestantes, entre los que había unos 200 *estudiantes universitarios y sindicalistas* opuestos al TLC. (Economía en América, 2005, March 11)

La oposición al convenio también viene de parte de algunos *representantes de las industrias textil y azucarera de EEUU*, así como de *grupos sindicales, ambientales y de derechos humanos*. (Peña, 2005, April 8).
Entre los que rechazan el acuerdo firmado por EEUU con Honduras, Nicaragua, Guatemala, El Salvador, Costa Rica y República Dominicana se encuentran sindicalistas, estudiantes, organizaciones de mujeres, campesinos, maestros e indígenas. (EFE, 2005, May 5)

Y, los opositores -sectores laborales, profesores y estudiantes universitarios, organizaciones sindicales, foros académicos: socialistas e izquierdistas (y los congresistas demócratas, en USA). (Pacheco Sánchez, 2005, June 3)

El FMLN, izquierda, y organizaciones sociales salvadoreñas pidieron hoy a la Asamblea Legislativa que no ratifique el tratado de libre comercio firmado entre Centroamérica y EEUU y se busquen mayor integración regional. (EFE, 2004, June 26)

Asimismo, diversas organizaciones sociales y sindicatos salvadoreños han manifestado su oposición a la ratificación del TLC. (EFE, 2004, December 5)

The primary space afforded to these opponents was limited to “the streets” (las calles) where they “protested,” “lobbied against,” held “marches,” “demonstrations,” “work stoppages” and considered a “general strike” to express opposition to CAFTA-DR.

ambientalistas y sindicalistas protestaban afuera del edificio (Feigenblatt, 2005, April 12)

Paralelamente, varias organizaciones sindicales emprendieron la tarea de recorrer Estados Unidos, para cabildear en contra del acuerdo (Feigenblatt, 2005, May 11)

Cientos de estudiantes universitarios, educadores y sindicalistas se lanzaron hoy a las calles para expresar su oposición al CAFTA en una marcha pacífica (EFE, 2005, September 20)

Sindicatos y otros grupos sociales en Costa Rica anunciaron hoy acciones callejeras a fin de rechazar el tratado de libre comercio firmado entre Centroamérica y Estados Unidos, conocido como Cafta. (AP, 2005, April 11)

Por otra parte, diversos sectores sociales anunciaron ayer, viernes, una serie de manifestaciones en todo el país para noviembre próximo en contra del Tratado. (ACAN-EFE, 2005, July 31)
Representantes de estudiantes, profesores, agricultores y otros sectores aglutinados en la Comisión Nacional de Enlace (CNE), expresaron en noviembre efectuarán marchas, paros y que se mantiene la idea de realizar una huelga general indefinida ese mismo mes. (ACAN-EFE, 2005, October 22)

While the opposition to CAFTA-DR, as outlined by La Nación, reflects a diverse conglomerate of social groups, the explanation presented as to why these groups oppose the agreement was somewhat limited to four key issues:74 (1) that CAFTA-DR “will only bring advantages for transnationals/ multinationals and large companies/exporters;” (2) that it will “bring more” poverty and unemployment; (3) that “peasant farmers” will be hurt; (4) and that it will “hurt small businesses” that “can’t compete with U.S. industry.”

Por su parte, distintas organizaciones sociales han manifestado su oposición a la puesta en marcha de este tratado ya que consideran que solo traerá ventajas para las trasnacionales y grandes empresas, mientras que la pobreza y el desempleo se profundizarían. (ACAN-EFE, 2005, December 15)

A eso se suma el anuncio de sectores sindicales y otros sociales de protestas durante el mes de mayo para dejar en claro su rechazo al acuerdo comercial que dicen, afectará a los campesinos y beneficiará solo a los exportadores. (AP, 2005, April 29)

En El Salvador, organizaciones sociales han realizado múltiples protestas en contra de este acuerdo comercial, al argumentar que sólo beneficiará a las grandes multinacionales y aumentará la pobreza en los países de la región. (EFE, 2005, July 1)

Organizaciones sociales salvadoreñas, así como el principal partido de oposición del país, el Frente Farabundo Martí para la Liberación Nacional (FMLN, izquierda), se han opuesto al TLC argumentando que no traerá beneficios para los sectores más pobres sino solo a las trasnacionales. (ACAN-EFE, 2005, February 17)

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74 A similar reductionism was seen through the Times framing reported in the previous chapter, with that news source explaining opposition as emanating from concerns over jobs and labor rights, and more notoriously stemming from protectionist thinking and political grudges (Democrats wanting to “stick it to” President Bush).
Posada dijo que las organizaciones sociales que participaron en las marchas se oponen al TLC con EEUU porque "sólo nos va a traer más desempleo", al indicar que las pequeñas empresas "no podrán competir" con las de EEUU. (ACAN-EFE, 2004, May 1)

En El Salvador, organizaciones sociales han mostrado su preocupación por la aprobación del CAFTA asegurando que profundizará las condiciones de pobreza y afectará negativamente a los pequeños productores y comerciantes. (ACAN-EFE, 2005, July 31)

While the opposition was constructed as a conglomeration of many interests, La Nación frames support for CAFTA-DR as limited to distinct classes of interests – those of industry, and those of the private sector. Industry interests include “professional organizations,” such as “the largest textile industry association,” along with “industrialists,” and those of “right wing” political parties (the PLN and Movimiento Libertario). Support from the “private sector” comes from “private groups” like the “proactive national Alliance.”

Los defensores - cámaras patronales, tecnonegociadores pactistas, frentes profesionales: derechistas y neoliberales. (y, congresistas republicanos, en USA) (Pacheco Sánchez, 2005, June 3)

Además del PLN, también la fracción del Movimiento Libertario (ML) está a favor (AP, 2005, February 21)

Pero, los que están en favor ganaron considerable terreno el pasado fin de semana cuando el National Council of Textile Organizations (NCTO, o Consejo Nacional de Organizaciones Textiles), la mayor asociación del sector textil estadounidense, expresó su respaldo al tratado conocido como CAFTA-RD. (AP, 2005, May 9)

los empresarios en favor (AP, 2005, May 9)

Grupos privados que favorecen el tratado como la Alianza proactiva nacional (AP, 2005, October 6)

Organizaciones afines al sector privado de Costa Rica convocaron para este jueves una marcha de apoyo al tratado de libre comercio (DPA, 2005, November 22)
In defining the opponents and proponents of CAFTA-DR, *La Nación* sets up a clear “us” versus “them” scenario where proponents “urge” or “advise” their legislatures to “ratify” CAFTA-DR, react “with satisfaction” to the approval of the agreement, and “emphasize the benefits” of the agreement, while “opponents” “announced days of protest” against the agreement, “rejected” the approval of the agreement, and argue that the agreement “will only benefit the transnationals and big businesses” and will bring higher levels of “poverty and exclusion.”

El ministro de Hacienda de Nicaragua, Mario Arana, *exhortó* hoy al Parlamento de su país a *ratificar* el Tratado de Libre Comercio (TLC) con EEUU, mientras *organizaciones sociales anunciaron jornadas de protesta contra el acuerdo comercial*. (EFE, 2005, July 7)

En Guatemala, la aprobación del tratado comercial fue recibido en Guatemala *con satisfacción* por empresarios, pero dirigentes de sectores sociales *lo rechazaron*. (ACAN-EFE, 2005, July 28)

Mientras que el Gobierno destaca los beneficios del TLC, organizaciones sociales salvadoreñas han expresado que este acuerdo comercial *beneficiará solamente a las trasnacionales y grandes empresas*, pero *provocará mayor pobreza y exclusión*. (EFE, 2005, December 20).

The activities of proponents – who, as defined by *La Nación*, tended to be power players in ruling governments and industry – were presented as official, institutional activities, most often referred to as “lobbying.” Proponents were described as “intensifying” their efforts in order to ratify the agreement and “obtain its benefits” – “investment,” “jobs,” and defending “democracy, liberty and participation.” These “benefits” are virtually mirror images of those delineated by the *NY Times* in its discourse on CAFTA-DR.
"Hemos estado en constante comunicación con la comisión especial del Parlamento que analiza el tratado y vamos a intensificar los cabildos, para ser el segundo país del istmo que ratifique el tratado por un asunto de obtener ventajas de inversión", dijo Argüello. (ACAN-EFE, 2005, February 8)

"El TLC se traduce en una sola palabra: empleo", afirmó Saca, e indicó que por ello los presidentes centroamericanos han emprendido una campaña de cabildo ante funcionarios, senadores y congresistas de Estados Unidos. (ACAN-EFE, 2004, July 9)

Maduro, por su parte, destacó su satisfacción por cabillear a favor del CAFTA y subrayó que este tratado y otros acuerdos de libre comercio ayudan a defender la "democracia, la libertad y la participación". (Osorio, 2005, May 9)

La Nación’s emphasis on “lobbying” also served as a way to connect the Central American governments with the United States, and create a sense of compatriotism between these seemingly disparate actors. In essence, this aspect of the coverage suggested that North American and Central American interests were one and the same, and that both were served well with the CAFTA-DR legislation. The Central American countries, for instance, have agreed to “lobby together” and “appear as a group” in the U.S. “to convince” or “tell” senators and members of congress about the “mutual benefits” of the trade treaty, which they see as being “in the interest of all parties.”

Sin embargo, los países centroamericanos han acordado, en una reunión celebrada en San Salvador por los ministros de Economía y Comercio, un plan de cabildo conjunto en EEUU para los próximos tres meses con el fin de convencer a senadores y congresistas sobre los beneficios mutuos que tendría el tratado comercial. (ACAN-EFE, 2004, July 31)

Los presidentes de seis naciones latinoamericanas miembros del tratado de libre comercio con Centroamérica se aparecerán mañana en grupo en Washington para decirle al Congreso que la ratificación de ese acuerdo es de interés nacional para todas las partes, incluido Estados Unidos. (AP, 2005, May 9)

These activities are given special emphasis, and placed beyond reproach in the pages of La Nación. The discourse provides a sweeping set of justifications that
privilege official actors and qualify their “pro” CAFTA-DR position. In taking a page out of the *NY Times*’ playbook, *La Nación* gives voice to pro- CAFTA-DR arguments such as CAFTA-DR helps the region to “stay competitive” with China/Asia in terms of “jobs,” allowing many “jobs” to “stay in the American continent” rather than leaving for Asia. Simply put, CAFTA-DR will “create” “jobs” and greater “opportunities” for “trade” and “investment.” In fact, it will “produce a wave of foreign investment” that will wash over the region. In addition, proponents assert that CAFTA-DR includes the “most advanced” provisions and will therefore “improve” “labor” and “environmental” standards.

Allen Gant, presidente del NCTO, dijo en una declaración escrita que se necesitaba del CAFTA-RD para asegurarnos de que la industria textil estadounidense pueda *mantenerse competitiva* ante China. (AP, 2005, May 9)

Weller, quien preside la delegación, afirmó, en una rueda de prensa, que el CAFTA es un acuerdo “justo y balanceado que beneficiará a todos los países”, en momentos en que el continente *compite en empleos* con Asia, principalmente con China. (EFE, 2004, May 8)

Pero destacó que grupos como el Consejo Nacional de Asociaciones Textiles ya han salido en favor del tratado, “porque ellos están viendo que es una forma de *mantener el emplo* que tenemos hoy en día”. (EFE, 2005, May 20)

Bush insistió en que con este Tratado de Libre Comercio (TLC) *muchos empleos se quedarán en el continente americano*, en lugar de acabar en países asiáticos. (EFE, 2005, May 12)

"*creará empleos y oportunidades* en este país". (EFE, 2005, June 13)

del acuerdo que permitirá *ampliar las oportunidades comerciales y de empleo* de la región centroamericana, aseguró Trejos en rueda de prensa. (AP, 2004, May 24)

el tratado de libre comercio entre Centroamérica y Estados Unidos *producirá una ola de inversiones extranjeras* en la región. (ACAN-EFE, 2004, October 2)
Se busca la creación de *nuevas fuentes de empleo* que se generarían con el CAFTA, el mejoramiento de los estándares legales, sociales y de negocios y la adopción de políticas para incentivar la *atracción de inversión*. (AP, 2004, November 8)

Saca dijo que el tratado comercial *provocará el interés de empresas grandes extranjeras para invertir* en El Salvador ya que podrán exportar sin impuestos a Estados Unidos "y lo que necesitamos en El Salvador es *empleo y el empleo se obtiene a través de empresas y de inversiones* de manera continuada". (ACAN-EFE, 2005, May 7)

Saca dijo que ese instrumento *generará importantes inversiones* en la región, por lo que "es fundamental" para el desarrollo de sus economías. (ACAN-EFE, 2005, May 26)

Sin embargo, el representante estadounidense insistió en el punto de vista de su Gobierno de que "la vía de mejorar los estándares laborales y medioambientales es a través del libre comercio". (EFE, 2004, August 5)

el tratado va a ayudar a los estados latinoamericanos firmantes a *robustecer sus patrones laborales y ambientales*, una tarea que sólo la emprenden los gobiernos democráticos porque los mercados libres y el comercio libre protegen los bienes comunes de los pueblos. (AP, 2005, May 3)

el tratado contenía, según dijo, las *provisiones más avanzadas en el campo laboral*. (AP, 2005, June 14)

In addition to these more tangible reasons to support CAFTA-DR, *La Nación* also gives strong voice to less tangible, ideological assertions provided by proponents. That is, CAFTA-DR as an instrument “to defend” and “strengthen” not only “democracy,” but also “liberty,” “participation,” “economic development,” “security,” and “prosperity.” These emotional appeals parrot those of the *NY Times*, which framed CAFTA-DR as an almost moral obligation of the United States to bestow these intangible, ideological benefits on the “fledgling” Central American countries.

*este tratado y otros acuerdos de libre comercio ayudan a defender la "democracia, la libertad y la participación"*. (Osorio, 2005, May 9)

*[el tratado es]* como un instrumento clave para el fortalecimiento de la democracia y el desarrollo económico en la región. (Peña, 2005, July 26)
el CAFTA-RD *impulsará la democracia, fortalecerá la seguridad y promoverá la prosperidad* entre algunos de nuestros vecinos más importantes. (AP, 2005, May 3)

Of course, *La Nación* presents CAFTA-DR as “the only way to achieve” a “secure and prosperous” Central America. In essence, “there is no alternative” to neoliberal free trade, as regional leaders generally, and President Saca of El Salvador specifically, “have faith” that CAFTA-DR will be ratified because “it is vital for the Central American democracies.”

Esta es la única forma de lograr una Centroamérica segura y próspera (AP, 2004, November 8)

El presidente salvadoreño, Elías Antonio Saca, expresó hoy que "tiene fe" en que el Tratado de Libre Comercio (TLC) entre Centroamérica y EEUU será ratificado por el congreso estadounidense porque "es vital para las democracias centroamericanas". (ACAN-EFE, 2005, May 15)

The sentiment expressed above builds off what was started in the first phase of coverage – the inevitability of CAFTA-DR. However, as in the first phase, and even more so here, *La Nación* is not ashamed to point out the negatives of the agreement, yet always maintains that a “bad” agreement with the United States is better than “no” agreement with the United States – a sentiment also expressed by the *NY Times*. According to *La Nación*, CAFTA-DR “is not a panacea” or cure all that will solve Central America’s problems, but rather “an ingredient,” “a very important step” or “good start” toward “development” and prosperity.

El tlc no es la panacea ni nos va a resolver todos los problemas económicos, pero al no tener tlc es tener el riesgo de perder exportaciones textiles, por ejemplo". (ACAN-EFE, 2004, July 14)

Un TLC no es una panacea y representa solamente *un ingrediente* en una estrategia de *desarrollo*. (Alfaro, 2004, September 21)
El CAFTA no será una panacea; para aprovecharlo al máximo, los países pequeños deben ocuparse de varios problemas. (Iglesias, 2005, January 1)

El tratado no es una panacea, no a va solucionar todos nuestros problemas (AP, 2005, April 12)

el tratado no es una panacea para los males que aquejan a la región pero es un buen comienzo (Peña, 2005, April 23)

no es una panacea, pero es un paso muy importante, que combinado con los procesos democráticos, con la creación de más prosperidad, de más empleo, a la larga tendrá muchos beneficios”. (EFE, 2005, May 20)

This returns us to the sentiment that closed the finding sections from the previous phase – that a “bad treaty” with the United States, one that does not serve all our interests, is better than “no treaty” with the United States. In this second phase of discourse, La Nación relied heavily on “fear appeals,” encouraging support for CAFTA-DR by drawing a nightmarish picture of what Costa Rica would be like without the agreement. Costa Rica has a lot “to lose” if it does not approve CAFTA-DR: the U.S. market, foreign exchange, jobs, and investment. Similarly, the countries run the “risk” that “foreign investment” established in the country would “move to” neighboring countries that have ratified this trade agreement.

Sostuvo que perder al mercado estadounidense significaría que al menos el 40 por ciento de la producción nacional en esas especies no tendría mercado, la pérdida de miles de divisas y miles de empleos a sus compatriotas (ACAN-EFE, 2005, February 8)

sin el TLC muchos de esos empleos estarían en peligro y que la inversión en Costa Rica por parte de Estados Unidos, principal inversor en este país con un 61 por ciento del total, disminuiría considerablemente. (ACAN-EFE, 2005, July 29)
De no ratificarse dicho tratado corremos el riesgo que la inversión extranjera establecida en el país se traslade a los países vecinos que ya han ratificado este acuerdo comercial (ACAN-EFE, 2005, April 5)

Despite all the “evidence” La Nación presented in favor of CAFTA-DR, its’ privileging of official actors and official activities that make CAFTA-DR happen, and the fear appeals of how rejection of the agreement would devastate the country, the reality was that there was no movement on the CAFTA-DR legislation. Given the two sides of the CAFTA-DR issue, one would suppose that the “paralysis” of CAFTA-DR would be attributed to the unyielding nature of either side. According to La Nación’s coverage, however, the paralysis was caused by one figure – President Abel Pacheco – who continued through the end of his presidential term to drag his feet on “sending” CAFTA-DR to the legislature for debate.

La Nación was exceedingly critical of Pacheco, accusing him of "changing his discourse" by initially strongly supporting the passage of CAFTA-DR but then holding the legislation hostage by attaching “conditions” to its movement – vowing not to send the CAFTA-DR legislation to Congress until it “approves a fiscal reform bill” that had been floundering in debate since 2002. “Now,” Pacheco says that he “won’t send” the legislation to the deputies before “it is certain” that the trade agreement is going to “favor the most dispossessed classes, farmers and small industries,” be beneficial for all Costa Ricans, or, simply, “is useful for the country from a social point of view.”

El mandatario Abel Pacheco pone cada vez más condiciones para enviar el Tratado de Libre Comercio (TLC) con Estados Unidos a discusión en la Asamblea Legislativa. Hace dos meses, lo condicionó a la aprobación del plan de reforma fiscal. Ahora, dice que antes de hacerlo llegar a los diputados debe estar seguro de que el TLC va a favorecer a las clases más desposeídas, a agricultores y pequeños industriales. (Herrera, 2004, September 25)
El presidente de Costa Rica, Abel Pacheco, declaró hoy en su país que mantiene su posición de no enviar el TLC al Congreso hasta "cuando yo esté seguro de que va a ser de beneficio de todos los costarricenses" (EFE, 2005, May 3).

El Presidente Pacheco ha condicionado el envío del tratado al Congreso de su país a la previa aprobación de una reforma fiscal en estudio legislativo desde hace casi tres años y hasta que esté seguro de que beneficiará a los más pobres. (ACAN-EFE, 2005, July 28)

El presidente de Costa Rica, Abel Pacheco, condicionó el envío del TLC al congreso de su país a la previa aprobación de una reforma fiscal y hasta conocer el informe de una comisión de cinco notables que le indique si el tratado es conveniente para el país desde el punto de vista social. (ACAN-EFE, 2005, July 28)

La Nación emphasized the timeframe of both CAFTA-DR and the fiscal reform bill, calling attention to the depth of the delay, and how long it had taken for these bills to move to, and through, the legislature. For instance, according to La Nación, the President “still hasn’t decided to send” to the Legislative Assembly the trade treaty, “agreed to on January 29, 2004.” Pacheco maintained that before he sends CAFTA-DR, the 57 deputies “should approve a fiscal reform bill” that they have been discussing for “two and a half years.”

Mientras, en Costa Rica, el presidente Abel Pacheco aún no está decidido a enviar a la Asamblea Legislativa el tratado comercial, acordado el 29 de enero del 2004. Pacheco sostiene que antes, los 57 diputados deben aprobar una reforma fiscal que lleven discutiendo dos años y medio y para la cual, aún no hay acuerdo. (Feigenblatt, 2005, June 23)

El presidente de Costa Rica, Abel Pacheco, se ha negado a enviar el TLC al Congreso, pues lo ha condicionado a la previa aprobación de un plan de reforma fiscal, el cual se encuentra en discusión legislativa desde hace más de dos años. (ACAN-EFE, 2005, March 18)

En Costa Rica el proceso del Cafta se encuentra estancado pues el presidente Pacheco insiste en enviarlo al Congreso hasta que los diputados voten de forma positiva una reforma fiscal que promueva hace más de dos años. (AP, 2005, April 11)
El tratado está paralizado en Costa Rica pues el presidente Abel Pacheco condicionó su envío al Congreso a la aprobación de una reforma fiscal que impulsa hace casi tres años. (AP, 2005, April 29)

La Nación does little to hold back its’ disdain for Pacheco and his handling of CAFTA-DR. Even after Pacheco sent CAFTA-DR to the legislature, La Nación continued to call him out and blame him for the overall delay and standstill in which the legislation languished. Coverage points out that the president “sent” to Congress CAFTA-DR for its ratification, after “delaying it for fourteen months.” La Nación does, however, attribute some of Pacheco’s “postponement” or “delay” on the “division” or “polarization” the issue has caused in the country.

Pacheco envió ayer al Congreso el TLC con Estados Unidos para su ratificación, después de pospóngalo durante catorce meses por la división que ha provocado en el país. (ACAN-EFE, 2005, October 22).

El presidente de Costa Rica, Abel Pacheco, remitió el TLC a la Asamblea Legislativa el pasado viernes, luego de 14 meses de pospórgarlo por la polarización de opiniones que ha surgido en el país en torno al tema. (ACAN-EFE, 2005, October 26)

El pasado 21 de octubre el presidente de Costa Rica, Abel Pacheco, envió el TLC entre Centroamérica, la República Dominicana y EEUU al Congreso de su país para su ratificación, luego de posponer su envío por 14 meses debido a la polarización social que ha causado. (EFE, 2005, November 18)

Still, by singling out and vilifying Pacheco as the main drag on CAFTA-DR, La Nación suggests that save for Abel Pacheco, CAFTA-DR would, and could move forward.

This is reflected in the next phase of the discourse, which looks, temporally, at the period after the 2006 election. That is, after Oscar Arias was voted into the presidency on a platform that promised, largely, to revive the movement of CAFTA-DR and to ratify and implement the agreement.
Phase Three: After the 2006 Election (May 2006-March 2007)

“ha llegado el momento de decidir”

In this third phase of the discourse, La Nación still argues in favor of CAFTA-DR, but the discourse shifts somewhat, away from the agreement itself and towards the progress of CAFTA-DR. That is, the coverage continues to lament the “slow progress” and demonizes the “actors” (the oppositional PAC party) to which it attributes the delay. It proclaims that “the moment to decide has arrived” (ha llegado el momento de decidir). La Nación gives substantial coverage to the opposition – both institutional (from above) and popular (from below) – but frames their activities as disruptive rather than constructive. With the opposition thoroughly delegitimized, La Nación frames moving forward with CAFTA-DR as in the best interest of the country.

Un Proceso Lento (“a slow process”)

While the last phase of coverage emphasized the “paralysis” of CAFTA-DR, this current phase emphasizes the “movement” of the treaty – albeit the “slow” movement. The administration, and industry groups specifically are “worried” by the “slowness” of the “legislative process” to “ratify” CAFTA-DR. In fact, the process is so slow that La Nación refers to it as “suffocating.”

“nos preocupa la lentitud del proceso legislativo” para ratificar el TLC... (ACAN-EFE, 2006, December 7)

Sin embargo, Shirley Saborío, directora ejecutiva de la Unión de Cámaras aseveró que “el dictamen es un paso, sin embargo preocupa el lento avance de los proyectos complementarios”. (Rojas, 2006, December 13)

Asfixiante lentitud. Hoy, más que nunca, nos está asfixiando la lentitud evidente que existe en el proceso legislativo y en la incapacidad para aprobar políticas que nos permitan avanzar hacia el desarrollo. (Orfila, 2007, February 14)
Lento. El análisis de cada una de las 65 mociones o cláusulas interpretativas que se han discutido en la Comisión de Relaciones Internacionales tarda cerca de una hora y 15 minutos. Hasta la semana pasada se presentaron unas 120 mociones de orden. En cada una se tardan casi 30 minutos. (Rojas, 2006, December 11)

In this last quote, we see one explanation La Nación provides for the delay – discussion.

As indicated above, the legislature spent about “an hour and 15 minutes” to “analyze” and “discuss” 65 “motions” and, since “last week” they presented some 120 “motions,” discussing each for around 30 “minutes.” In a broader sense, La Nación points out that Costa Rica “is the only” Central American country that “has not ratified” the treaty, “more than two years” after it had been signed, even though it has been “discussed” in Congress for “a year,” for “three years already,” and for “almost four years.”

Costa Rica es el único país de Centroamérica que no ha ratificado el acuerdo comercial, el cual se discute desde hace un año en el Congreso. (ACAN-EFE, 2006, October 19)

El acuerdo se discute en esa Comisión desde el 6 de diciembre del año pasado, pero, tras las elecciones de febrero, se congeló mientras se conocía quién era el presidente electo. Art. 330 (Rojas, 2006, October 19)

El tratado se discute desde hace un año en una comisión en la Asamblea Legislativa, la cual en los últimos meses ha realizado audiencias para escuchar las diversas posiciones acerca del acuerdo comercial. (ACAN-EFE, 2006, October 6)

Por tres años ya, hemos estado discutiendo un TLC. Mientras tanto, en ese lapso de tiempo se desarrolló el I-Pod, podemos comunicarnos por voz y texto, fotografiar y hasta ver televisión por un teléfono y la economía de China ha crecido en casi un 30%. (Dueñas, 2006, September 16)

Casi 4 años después, seguimos inmersos en esa extensa discusión, sin tomar la decisión crucial y urgente de su aprobación. (Ruiz, 2006, October 19)

El Tratado de Libre Comercio (TLC) entre Centroamérica, la República Dominicana y EEUU ingresará en los próximos días al plenario del Congreso de
By emphasizing the number of hours spent in discussion, “278 hours,” the number of “hearings,” “consultations,” and “motions” heard in relation to CAFTA-DR, La Nación frames the CAFTA-DR process as democratic, thoughtful and thorough – but also stalled, having “not advanced” in almost a month.

“Desde que este TLC ingresó a esta comisión se ha discutido por 278 horas. En ningún país del mundo un tratado tiene tanto debate para dictaminarse. Quien diga hoy que no ha tenido tiempo de decir lo que quiere decir, yo no sé qué más quiere”, dijo Arias en el texto.

El dictamen se dio ayer, casi 14 meses después de que el gobierno de Abel Pacheco lo envió a estudio en el Congreso. Se hicieron 116 consultas y se dieron 46 audiencias a defensores y opositores del TLC. (Rojas & Venegas, 2006, November 1)

Avance. La diputada afirmó que tuvo que “ordenar” el debate del TLC porque no se avanza en la discusión del texto desde el 11 de octubre, cuando terminaron las más de 50 audiencias que recibió la Comisión a partir del 6 de diciembre del 2005. (Rojas, 2006, November 2)

La Comisión de Internacionales, que analiza el TLC, ha recibido 360 mociones de fondo, de las que 295 están pendientes de discusión, 62 fueron debatidas y tres retiradas. De las conocidas, 17 fueron aprobadas y 45 rechazadas. (Rojas, 2006, December 11)

The stalled movement is attributed to the opposition parties Partido Acción Ciudadana (PAC) and Frente Amplio, which were accused of “maintaining a strategy of filibuster” by presenting a large number of motions in a short period of time (between “Thursday and yesterday”). La Nación, quite literally, “calls attention to” to the fact that the PAC “presented 60% of their clauses in three days,” a timetable that suggests nothing less than political jockeying.

La fracción del Partido Acción Ciudadana (PAC) mantiene una estrategia filibustera que trata de retrasar hasta febrero el dictamen del Tratado de Libre Comercio (TLC) con EE. UU. (Rojas, 2006, October 19)
Con la presentación de 42 mociones, el Partido Acción Ciudadana (PAC) obstruyó ayer el comienzo de la discusión y análisis de fondo del Tratado de Libre Comercio (TLC) con Estados Unidos, denunció la fracción del Partido Liberación Nacional. (Rojas, 2006, October 18)

El Partido Acción Ciudadana (PAC) presentó en la última semana 15 mociones de revisión de cláusulas interpretativas, lo que atrasa la discusión de más cláusulas del Tratado de Libre Comercio (TLC) entre EE. UU., República Dominicana y Centroamérica. (Rojas, 2006, November 16)

El Partido Acción Ciudadana (PAC) presentó, entre el jueves y ayer 118 mociones de fondo o cláusulas interpretativas al texto del Tratado de Libre Comercio (TLC) entre Centroamérica, República Dominicana y EE. UU. De esa manera, el PAC propuso –hasta ayer a las 8 p. m.– 197 cláusulas interpretativas. (Rojas, 2006, December 11)

“Llama la atención que el PAC presentó el 60% de sus cláusulas en tres días, quiere dilatar la discusión”, dijo. (Rojas, 2006, December 11)

Despite the legitimacy of these motions as part of the legislative process, La Nación presents them as capricious and “obstructionist,” and privileges the discourse of the pro CAFTA-DR government. As such, La Nación reports that Arias “criticized” those “political sectors” that have “pressed for an extension” in the discussion as “only looking to slow the process and avoid” a legislative vote on CAFTA-DR. Such tactics, according to Arias, are “irresponsible,” given that Costa Rica has already “lost valuable time” that is “hard to make up for.” As such, the delay is framed as working against Costa Rican interests while moving forward with CAFTA-DR is framed as in the best interest of the country. This point is expressed clearly by PLN legislator Mayi Antillón, “in respect for the country, the hearings should close.”

Arias criticó a algunos sectores políticos que han presionado para extender aún más el plazo de estas audiencias pues, según dijo, "sólo buscan retrasar el proceso y evitar que el TLC se pueda votar en el plenario". (ACAN-EFE, 2006, October 6)

Según Arias, es "irresponsable" el atraso que se ha dado en la discusión del TLC,
pues "ya se ha perdi do tiempo valioso que es difícil de recuperar". (ACAN-EFE, 2006, October 6)

"Por respeto al país, las comparecencias deben cerrarse," declaró anoche Antillón. (Venegas, 2006, October 4)

And with that, “the moment to decide has arrived” (Art. 24; Trejos, 2007, January 9). While legitimizing the “space” of resistance as in the institutional legislative body yet delegitimizing the tactics of the resistance from above, the only other option for resistance was in the streets – an option thoroughly delegitimized by La Nación.

Referendo “por la mitad” de calle ("Referendum ‘in half of the street’")

Given that legitimate efforts from the resistance movement in the legislature were framed negatively by La Nación, it is not surprising that the resistance from below was also negatively framed. While La Nación provides voice to the opposition “in the streets” (en las calles), that voice is somewhat limited to institutional leaders, such as Vargas (President of the ANEP union) and Trejos, the rector from ITCR who served as the leader of la Coordinadora. By emphasizing these sources, La Nación minimizes the breadth and scope of the resistance – presenting it instead as the “usual suspects,” mainly union groups and students – a tendency also seen in the NY Times’ framing of CAFTA-DR.

For instance, a May 2, 2006 headline read, “Unions will protest against Arias & CAFTA-DR during the transfer of powers.” The body copy, however, goes on to report a broader coalition of “various social organizations” that will also participate in the protest (AP, 2006, May 2). In many instances, “union groups” (Grupos sindicales) are given first mention by La Nación, followed by broader “catch-all”
groupings, such as “social organizations,” as seen above, along with “some” groups from “civil society.”

_Grupos sindicales_ y de la _sociedad civil_, así como la principal fuerza de oposición, se resisten a aceptar ese tratado, por considerarlo violatorio de la soberanía costarricense. (DPA, 2006, June 28)

_los sindicatos y algunos grupos de la sociedad civil_ van a realizar un paro nacional y distintas protestas y manifestaciones contra el Tratado de Libre Comercio con EE. UU. (Berrocal, 2006, October 21)

El movimiento de protesta del lunes y martes es organizado por la Coordinadora Nacional de Lucha contra el TLC, que reúne a _sindicistas_ y dirigentes de _algunos grupos sociales_ opuestos al Tratado. (Murillo, 2006, October 19)

Barquero, en ese sentido, llamó a los docentes a apoyar las medidas de presión convocadas para la próxima semana por _algunas organizaciones sindicales_. (Villegas, 2006, October 19)

_Grupos civiles y sindicales_ opositores al TLC han convocado a actividades de protesta para esta semana. (Murillo, 2006, December 11)

Los opositores, entre los que abundan _sindicistas, estudiantes, grupos ecologistas y académicos_, comenzaron ayer sus manifestaciones en el Congreso. (Murillo, 2006, December 12)

En un tono aún más beligerante, _organizaciones sindicales_ del sector público, _ambientalistas, campesinas_ y de _estudiantes_ definen el periodo que se avecina como “un escenario de confrontación total”. (AFP, 2007, January 9)

El ministro de Seguridad, Fernando Berrocal, advirtió que la Fuerza Pública no tolerará bloqueos el próximo lunes 26 de febrero, día en que _organizaciones sindicales y estudiantiles_ tienen programada la marcha de protesta contra el Tratado de Libre Comercio (TLC) con Estados Unidos. (Mora, 2007, February 22)

“Union leaders” are given preference by _La Nación_ and framed as the primary actors, and de facto leaders of the opposition movement, even though the resistance is much more diverse. They are charged with activities such as “announcing” “strike,” “demonstrations,” and “work stoppages” that “will paralyze” the country.

_Dirigentes sindicales anunciaron_ que el próximo lunes y martes “miles y miles” de costarricenses se unirán a una _huelga_ para protestar contra el TLC (ACAN-EFE, 2006, October 21)
Los dirigentes sindicales anunciaron que “paralizarán” al país, pues al movimiento, además de estudiantes universitarios, se sumarían maestros, empleados del sector energía y telecomunicaciones y de la salud. (ACAN-EFE, 2006, October 22)

Los dirigentes sindicales, políticos, estudiantiles y universitarios contrarios al TLC harían bien en evaluar objetivamente la respuesta popular, de los estudiantes, de los educadores y de los empleados públicos convocados a las manifestaciones y al paro general anunciados para el lunes y el martes de esta semana. (Editorial, 2006, October 26)

Entre los dirigentes sindicales, hablaron Jorge Arguedas (ICE), Jesús Vásquez (APSE) y Luis Salas Sarkis (INS). Muchos insistieron en convocar a una huelga. (Oviedo, 2007, February 27)

The authenticity of union leaders is called into question by La Nación, which portrayed them as a minority, a reduced or “small group,” whose tactics cause “worry” and “sadness,” amount to “threats” to the social order, and are both based on “falsifications,” and are just “shady and dangerous.” Pro- CAFTA-DR actors, however, who most commonly are part of the institution government, are portrayed as the “majority of deputies” and are said to “have responded” with “democratic procedure” – a clear contrast from the “undemocratic” procedure of the opposition that is explored a bit more fully in the following paragraph.

A las amenazas de orden personal e institucional de un reducido grupo de dirigentes sindicales y de activistas de variado origen y profesión, opuestos a la ratificación del TLC, la mayoría de los diputados ha respondido con el recurso del procedimiento democrático. (Editorial, 2007, January 24)

y las más variadas amenazas de algunos grupos minoritarios de presión, sindicales, políticos y profesionales, prevaleció la institucionalidad democrática, no se alteró la paz social y salió airosa la democracia representativa. (Editorial, 2006, December 14)

un grupo de dirigentes sindicales tradicionales, algunas autoridades académicas, políticos fracasados y candidatos a serlo, insisten en un discurso trasnochado y peligroso. (Editorial, 2007, February 12)
Las anteriores tuvieron lugar el 16 de mayo del 2005, el 1.º de noviembre del mismo año y el 23 de octubre del 2006, en las que los dirigentes sindicales anti-TLC anunciaron, sin éxito, huelgas generales o la suspensión de labores en los servicios públicos. (Editorial, 2007, February 27)

hemos visto con preocupación a unos poquísimos dirigentes sindicales, que lo que menos hacen es trabajar y solo pregonan falsedades en torno al TLC, pero organizan las benditas marchas, que para nuestro estupor llaman “la democracia de la calle”. (Escarré, 2007, February 22)

As illustrated above, a large portion of the criticism of the union leaders and movement from below against CAFTA-DR was that it subverted democracy – creating its own “democracy of the street” (democracia de la calle) in place of the institutional democracy represented by the Legislative Assembly. This illustrates La Nación’s struggle to define institutional routes of resolution – such as the negotiation table seen in the first phase, the legislative assembly here, along with the Constitutional Court (Sala IV), the Electoral Court (TSE) and the referendum, which will be emphasized in upcoming phases – as the only legitimate and authentic way to generate a Costa Rican solution to CAFTA-DR.

As seen in the previous section, La Nación’s coverage works to delegitimize the opposition, here, specifically, through discrediting the movement in the street. Union leaders “assured” that they “will not accept an affirmative vote” on CAFTA-DR in the Legislative Assembly, instead, they “will go to the streets to make their referendum.” With such an action, union leaders are essentially saying that they “can violate the Constitution,” “ignore the institutional system” of the country, and “delegitimize” the decision of the Legislative Assembly. Thus, the opposition is operating in an “undemocratic” fashion, with their “referendum in the streets”
(referendo de las calles) causing the administration’s “worry” and “sadness” illustrated above, along with “fear” as indicated below.

Líderes sindicales aseguran que no aceptarán una votación afirmativa, por parte de la Asamblea Legislativa, del Tratado de Libre Comercio con Estados Unidos, Centroamérica y Dominicana. Por el contrario, irán a las calles a hacer “su referendo”, pues dicen que el Primer Poder de la República está “prostituido y secuestrado por la Casa Presidencial, el poder económico y la Embajada de los Estados Unidos”. (Mora, 2006, November 6)

El Ministro señaló que con tales argumentos “los dirigentes sindicales están diciendo que se puede violar la Constitución, desconocer el sistema institucional del país y deslegitimar la decisión que pueda tomar la Asamblea Legislativa”. (Mora, 2007, March 1)

El Gobierno reaccionó ayer con “preocupación” ante manifestaciones de sindicalistas que intentan deslegitimar al Congreso ante una posible votación afirmativa al TLC con Estados Unidos. (Mora, 2006, November 7)

No hay duda de que los dirigentes sindicales opuestos al TLC han actuado con transparencia y coherencia anti-democrática. (Editorial, 2006, November 8)

Monseñor Barrantes manifestó temor ante lo que algunos sindicalistas han llamado el “referendo de las calles” en caso de que la Asamblea apruebe el TLC. (Mora, 2006, December 11)

Another clear contrast can be observed in the framing of the administration versus the demonstration tactics of the opposition. While the administration “respects the rights” of the opposition to demonstrate, it is also framed as “protecting” the rights and safety of all Costa Rican’s from those whose aim it is to disrupt Costa Rican society – namely, the opposition or protestors. Everyday Costa Ricans are framed as “innocent victims” of work stoppages, and unions are accused of acting “irrespective of the dignity” of those who “want to go to work.” The work stoppage is framed as an “interruption of basic services,” a “great danger” to Costa Ricans, and illustrates a “lack of loyalty with Costa Rica.” In line with Kumar (2005)
who found that the television news framed the 1997 UPS strike as “un-American,”

*La Nación* essentially declared the national work stoppages of October 23rd & 24th 2006 “un-Costa Rican.”

Arias dijo que *respeta el derecho a manifestarse* de los opositores al TLC, pero llamó a los empleados públicos a deponer *el paro* y no afectar a *terceros*. (Murillo, 2006, October 19)

"A los dirigentes sindicales les digo: *estoy a favor de su derecho a manifestarse*, pero no de su decisión de tomar como rehenes a los demás”, agregó. (ACAN-EFE, 2006, October 22)

"Es muy *lamentable* que los *dirigentes sindicales* procedieran de esa forma, es un *irrespeto a la dignidad* de las personas que querían *ir a trabajar*”, aseveró. (Loaiza, 2006, October 24)

"Nos parece que *el paro* no se justifica, *no es una forma leal con Costa Rica. Consideramos que *interrumpir los servicios básicos* le causará *un gran daño* a la *ciudadanía costarricense*”, declaró en conferencia de prensa, el ministro de la Presidencia Rodrigo Arias. (ACAN-EFE, 2006, October 18)

While the unions are framed as working against the public good, the administration is framed as working for the public good through compromise. This framing technique is similar to that found by Knight (2001), who’s study of the 1996 Ontario public service strike found that the Canadian press framed the government’s actions as being on behalf of everyone, while the union’s actions were based on particular interests. In the case of CAFTA-DR in Costa Rica, *La Nación* framed the administration’s request that protesters “only occupy half of the street” – as respecting everyone’s rights, because it allowed for both the protest, and normal daily activity. In contrast, the opposition is framed as being unreasonable and “unresponsive,” vowing to “do whatever is necessary to derail CAFTA-DR.”

Arias pide a sindicalistas *ocupar sólo la mitad de la calle* en protestas de la otra semana (ACAN-EFE, 2006, October 19)
Sin embargo, los grupos opuestos al tratado no respondieron a la propuesta de Arias y aseguran que aunque sus manifestaciones serán pacíficas, harán todo lo necesario para detener el TLC. (ACAN-EFE, 2006, October 22).

Even before the actions of October 23rd & 24th 2006, La Nación emphasized the possible negatives that could come along with the days of protest. In addition to the obvious fear of violence, a favorite frame of news outlets covering protests and social movements, La Nación also emphasized how the work stoppage and blocking of roads with marches, etc... would affect important services such as health care.

While these things may or may not actually occur, La Nación reports them as if they are inevitable. For instance, official sources report in La Nación that “with the strike/work stoppage” “89,000 medical consultations” will be cancelled; “1,160 surgeries” will be postponed; “307,000 medical prescriptions” will not be dispatched; and “279,000 laboratory exams” will be suspended.

Según Arias, con la huelga del lunes y martes próximos se dejarán de llevar a cabo 89.000 consultas médicas, se postergarán 1.160 cirugías, se dejarán de despachar 307.000 recetas médicas y se suspenderán 279.000 exámenes de laboratorio. (ACAN-EFE, 2006, October 18).

El paro lo apoyan también trabajadores de la Caja Costarricense de Seguro Social (CCSS), a pesar de que, según la Presidencia, se afectarían 89.000 consultas, 1.160 cirugías, 279.000 exámenes de laboratorio y se dejarían de entregar 307.000 recetas médicas. (Murillo, 2006, October 19).

Cálculos del gobierno indican que debido a la huelga se suspenderán 89.000 consultas médicas, se postergarán 1.160 cirugías, se dejarán de despachar 307.000 recetas médicas y 279.000 exámenes de laboratorio serán suspendidos. (ACAN-EFE, 2006, October 20)

The possible street “blockades” that come along with the demonstrations also threaten the ability of “a million” Costa Ricans who “depend on public transportation” “each day” to “travel freely” around the country and “limits the right of the majority to work.” According to “the Administration” “71% of the population
opposes the blockades,” while “53% support CAFTA-DR.”

Arias subrayó la petición de "no bloquear el servicio de transporte público, del que depende el desplazamiento de un millón de costarricenses diariamente". (ACAN-EFE, 2006, October 19)

"No permitiremos que se interrumpa el libre tránsito ni se coarte el derecho de la mayoría a trabajar. (ACAN-EFE, 2006, October 22)

Mientras, la Casa Presidencial, con base en una encuesta del experto Miguel Vega, dijo que el 71% de la población se opone a los bloqueos y el 53% apoya el TLC. (Villegas, 2006, October 23)

This type of framing of social movements and union strikes is consistent with findings across the literature. For instance, Parenti (1986) argues that news coverage has little to say about the “causes” of strikes and instead emphasizes the effects or impact on broader society (p. 85). Strikers are framed as “indifferent to the well-being of the larger public” (p. 85) and operating for their own best interest. Both Parenti’s findings, and those of the current study, clearly communicate that “strikes are ‘bad’ news” (Knight, 2001, p. 75) to everyday people, and a “source of social disruption and economic harm” (p. 75).

Despite La Nación’s fire and brimstone construction of the October 23rd and 24th actions, the marches turned out to be “completely peaceful,” and only accompanied by a “partial stoppage” of “some public services” such as “medical appointments” through Social Security, and “classes in primary and secondary schools." La Nación goes on to report that despite “assurances” from the opposition that they would “paralyze” the country, “the majority of services operated normally,” that is, “with the exception of a few brief roadblocks,” the “demonstrations” transpired in a “peaceful manner.” By pointing out that the country was not “paralyzed,” La Nación suggests that the street movement was
not a success.

Las marchas, *todas pacíficas*, estuvieron acompañadas de un *paro parcial* en algunos servicios públicos como citas médicas en el Seguro Social, clases en escuelas y colegios, y la atención de diversos trámites en el sector público.

Aunque los sindicatos habían hecho un llamado a huelga nacional y habían *asegurado* que "paralizarían" el país, *la mayoría de servicios operaron con normalidad*, según confirmó en rueda de prensa el ministro costarricense de la Presidencia, Rodrigo Arias. (ACAN-EFE, 2006, October 23)

*Con excepción de algunos breves bloqueos* en la zona rural, *las manifestaciones* contra el Tratado de Libre Comercio (TLC) de Centroamérica, República Dominicana y Estados Unidos transcurrieron ayer de *manera pacífica*. (Villegas & Oviedo, 2006, October 23)

Still, even though the demonstrations “in general” were “peaceful,” *La Nación* was quick to point out “some exceptions,” namely the use of “blockades” by protestors to further cast the movement in a negative light. These blockades were more prevalent the “second day” or “Tuesday’s” protests, causing an “interruption of vehicle transit” or “impeding free transit” on “several highways,” at “four” or “five points.”

*En general* las manifestaciones *fueron pacíficas*, con “algunas excepciones” como un *bloqueo* realizado por estudiantes universitarios. (ACAN-EFE, 2006, October 25)

El *segundo día* de protestas contra el Tratado de Libre Comercio de Centroamérica, República Dominicana y Estados Unidos terminó ayer con *bloqueos en varias carreteras* del país. Solo en la capital, los manifestantes *interrumpieron el tránsito de vehículos* en *cuatro puntos*. (Villegas, 2006, October 25)

En primer lugar, los manifestantes actuaron, el lunes, con orden y mesura, no así *el martes*, cuando algunos piquetes llevaron a cabo algunos *bloqueos*, por pocas horas, en San José, en San Carlos y en San Isidro de El General, cuyas víctimas, como ocurre en *estos actos de violencia*, son siempre las personas dedicadas pacíficamente a sus labores. (Editorial, 2006, October 26)

Manifestantes contra TLC *bloquean* vías en *cinco puntos*. (Oviedo, 2006, October 24)
Bloqueadas cuatro carreteras por marchas contra el TLC cerca de 60 personas impiden el libre tránsito en Siquirres (Oviedo, 2007, February 26)

In addition to “impeding free transit,” the blockades also “produce losses for producers” and, most alarmingly, the blockades are blamed for the death of a young girl. *La Nación* reports that a “roadblock” “impeded” a gravely ill girl from receiving medical “attention” – she “died before arriving at a local clinic.” Given this accusation, it is not surprising that in the Editorial of October 25, 2006 cited above, refers to the blockades as “these acts of violence.”

Rodrigo Arias, ministro de la Presidencia, descalificó el movimiento y aseguró que los bloqueos producen pérdidas a los productores. (Villegas, 2006, October 25)

*Murió antes de llegar a clínica local. Bloqueo impidió atención de niña grave en Siquirres* (Iglesias & Loaiza, 2006, October 24)

The strong criticism and fear mongering in relation to the “referendum in the streets” was part and parcel of a larger tendency of *La Nación’s* coverage – to assign legitimacy to certain actors and actions in the resolution of CAFTA-DR. In many instances, the “illegitimacy” of a “referendum in the streets” is directly contrasted with the “legitimacy” of the Legislative Assembly. For instance, the “Legislative Assembly” or “negotiation table” is the “only” “organ” that “can discuss” or “make a decision in respect to” this “delicate issue” – “not in the streets.”

Arias aseguró que el TLC es competencia de la Asamblea Legislativa y que es a ese órgano al que le corresponde tomar una decisión al respecto, pues “estamos en un estado de derecho y vivimos en una democracia representativa” (ACAN-EFE, 2006, October 18)

El Ministro reiteró, además, que el TLC está en estudio en el Congreso y que será ahí donde se decida la ratificación o rechazo, “no en las calles”. (Murillo, 2006, October 19)
“hemos tratado de promover el diálogo entre los que se oponen al TLC y el Gobierno que lo impulsa, pero en una mesa de negociación pues la calle no es lugar para discutir posiciones”, sostuvo Ulloa. (Mora, 2006, December 11)

“Es un tema delicado que solo se puede discutir en la Asamblea Legislativa”, dijo. (Rojas, 2006, September 28)

El ministro Arias hizo un llamado a respetar la labor de los diputados, pues "estamos viviendo en una democracia representativa donde la discusión de temas importantes se realiza en la Asamblea Legislativa y no en las calles". (EFE, 2006b, December 13)

This tendency of the coverage is reminiscent of Gitlin’s (1979) discussion of the contrary framing of “reformist” movements – in this case, the institutional resistance from the PAC, Frente Amplio, and PASE party elected officials – and “revolutionary” movements – in this case, the social movement in the streets. Gitlin (1979) argues:

Reformist movements can achieve media standing by getting their experts legitimated; the standard frames are equipped to show them to relatively good advantage. Revolutionaries, by contrast, can achieve media standing only as deviants... (p. 44).

Such was the case with the framing of CAFTA-DR by La Nación, which relied heavily on government sources, and largely discredited the social movement in the streets as a stage for circus clowns rather than a legitimate process for developing good policies that would benefit all of Costa Rica.

**Esperanza (“Hope”)**

With the opposition largely framed as “extremists” and as delaying the process of CAFTA-DR, La Nación expresses a hope that CAFTA-DR can move forward, through its privileging of the pro CAFTA-DR position of the Arias administration. While the PAC is continually framed as somewhat lackadaisical towards the pressing issue of CAFTA-DR, quoted as asking, “what’s the rush?”
("¿Cuál es la prisa de sacar el acuerdo?"), the pro CAFTA-DR government is framed as moving forward. La Nación emphasizes the government’s “hopes” and potential timetables for different achievements in the process, which injects a sense of inevitability into the “eventual” implementation of CAFTA-DR.

In earlier coverage during this phase, the President is said to “have hope” that “the ruling of the commission will be ready in November” and that the deputies “will approve” the text in “January” of 2007 or during the “first trimester of next year” (2007).

El presidente dijo que su esperanza es que el dictamen de la comisión esté listo en noviembre para que los diputados aprueben el texto en enero. (ACAN-EFE, 2006, October 6)

El gobierno de Costa Rica espera que los diputados ratifiquen al tratado en el primer trimestre del próximo año, ya que este país es el único signatario que no lo ha hecho. (ACAN-EFE, 2006, October 17); (ACAN-EFE, 2006, October 18)

Arias espera que TLC con EEUU se apruebe en enero de 2007 (ACAN-EFE, 2006, October 6)

Later coverage in this phase suggests a longer timetable, and emphasizes the role of the ruling party in making CAFTA-DR happen within these timetables. For instance, “pro-CAFTA-DR factions” in the legislature “will extend” plenary sessions “with the goal” to “achieve” a vote on CAFTA-DR “before April 30th.”

La fracción liberacionista extenderá las sesiones del plenario con el fin de lograr antes del 30 de abril la votación del Tratado de Libre Comercio entre Estados Unidos, Centroamérica y República Dominicana. (Venegas, 2006, December 5)

Los verdiblancos estiman que el TLC se quedará definitivamente en discusión en el plenario a mediados de febrero. El oficialismo pretende la aprobación en primer debate del tratado comercial antes del 30 de abril. (Venegas, 2006, December 27)
This push for CAFTA-DR is amplified by La Nación, through its use of fear appeals, and framing of the CAFTA-DR issue in terms of “what ‘we’ lose” by staying outside the agreement. While this framing device appeared in earlier phases also, here it is used to communicate the fear of being left behind, a sentiment that grew in volume as the CAFTA-DR process continued. According to the coverage, Costa Rica is getting left behind in terms of other free trade agreements, such as those with the European Union, South Korea and Panama – whose negotiations cannot move forward until the CAFTA-DR issue is resolved.

Manifestó que "esta negociación con Europa va a empezar probablemente a fin de año o comienzo del otro, nosotros no podemos entrar a negociar sin haber resuelto nuestra situación con CAFTA". (ACAN-EFE, 2006, May 15)

Una delegación de empresarios surcoreanos mostraron hoy su interés en invertir en Costa Rica, una vez que se apruebe el Tratado de Libre Comercio (TLC) entre Centroamérica, República Dominicana y EEUU (CAFTA, siglas en inglés). (ACAN-EFE, 2006, July 7)

El país tiene grandes expectativas también en la conclusión del proceso de negociación del TLC con Panamá, un mercado natural para varios productos nacionales. (Barquero, 2006, December 19)

Por su parte, el presidente Óscar Arias resaltó la necesidad de acelerar el proceso para la aprobación del tratado en especial porque se está a la víspera de una negociación similar con la Unión Europea. (Redacción, 2007, March 1)

Perhaps more significant, however, is the threat of being left behind by its Central American neighbors. As such, La Nación emphasizes what Costa Rica loses, specifically to other Central American countries that have already implemented CAFTA-DR. For instance, El Salvador, Honduras, Nicaragua and Guatemala “have undergone” “positive economic gains” in the period “after” CAFTA-DR entered into effect. In El Salvador alone CAFTA-DR “surpassed expectations,” and “surpassed the
goal” of “jobs, exports and investment.” Regional signatories, and Nicaragua specifically, are reported as “attracting large investment with CAFTA-DR” such as the funds OPIC (Overseas Private Investment Corporation) has earmarked for the “finance of new projects” in CAFTA-DR countries.

"El Salvador, Honduras, Nicaragua y Guatemala han experimentado ganancias económicas positivas en el período después de la entrada en vigencia del tratado", afirmó el diplomático estadounidense. (ACAN-EFE, 2006, October 3)

TLC superó expectativas en El Salvador; Con siete meses de regir, el acuerdo comercial con Estados Unidos superó la meta de empleo, exportaciones e inversión, según el funcionario. (Barquero, 2006, October 9)

Nicaragua atrae gran inversión con TLC (ACAN-EFE, 2006, October 19b)

Estados Unidos a través de la Corporación de Inversiones Privadas en el Exterior (OPIC) financiará nuevos proyectos en Nicaragua por 186 millones de dólares, informó el martes la embajada estadounidense. (AP, 2006, October 17)

Invertirán 156 millones en países con los que EEUU firmó TLC (EFE, 2006, October 17)

As a result of this type of coverage, La Nación frames the Central American nations as competitors, rather than compatriots – a tendency seen throughout the coverage. Combining this framing with the emphasis on timetables or “hopes” about when CAFTA-DR will be passed and take effect, La Nación creates a sense of “being left behind” both with the current “slow process” and more completely if CAFTA-DR is not approved. During this phase in the discourse a strong emphasis on defining legitimate routes for resistance and resolution of CAFTA-DR emerged, with institutional routes and actors clearly privileged over actors and activities from below, and the pro CAFTA-DR position privileged above all else. This trend
continued through the final stage of discourse, that during the time period of the referendum.

**Phase Four: Institutionalization of the Movement (April 2007-October 2007)**

During this phase of the coverage, *La Nación* emphasized four key vehicles for the “legitimate” resolution of CAFTA-DR – the TSE, the Constitutional Court (Sala IV), the Legislative Assembly, and the referendum. All of these vehicles are either part of the formal government, or sanctioned by it – thus framing the only resolution to CAFTA-DR as an institutional resolution. As a result, it is not surprising that during this timeframe, there is limited coverage of the popular social movement against CAFTA-DR, such as protests in the street, and broader coverage of institutional activities for, or against the agreement.

For instance, during the timeframe established for this phase of the coverage (April 12, 2007 – October 31, 2007), five separate citizen actions were held (May 1, 2007; June 14, 2007; July 24, 2007; August 20, 2007; and September 30, 2007), yet *La Nación* only covered two – the May Day protest of 2007, and the September 30th action – with total coverage of the movement in the streets amounting to six (6) articles. Given that the overall article count for *La Nación* during this phase was 306 articles, the minimization of the social movement by this news outlet is strikingly clear – just under 2% of the CAFTA-DR coverage focused on the movement from below.

When *La Nación* did address the social movement against CAFTA-DR, it was done in a backhanded fashion. The headline of a May 1st article about the May Day demonstration read, “Message of no to CAFTA-DR predominated the weak march of
May 1” (Mensaje de no al TLC predominó en débil marcha del 1 de mayo). A May 2nd follow-up described “participation” as “limited,” and estimated “tens of people” in attendance. The activities of protesters and the atmosphere surrounding their fight were also delegitimized by La Nación, which chose to describe both actions as “more like an end of the year carnival” with various “musical groups” or “bands” performing on “three platforms” to “masked” and “costumed” “wild revelers.” The September 30th action was also constructed as commercialized, with “vendors” selling t-shirts, banners, and “other signs of ‘No’,” in addition to “bonds” to help “finance” “propaganda and organization” of the movement.

Mensaje de no al TLC predominó en débil marcha del 1 de mayo (Leal & Carranza, 2007, May 1)

Decenas de personas caminaron desde la iglesia de La Merced, en la avenida segunda, hasta la Asamblea Legislativa – en San José– para conmemorar el Día Internacional del Trabajo... La actividad contó con una limitada participación y se asemejó más a un carnaval de fin de año, donde las mascaradas, comparsas, cimarronas y una banda le dieron el matiz de fiesta mientras las personas observaban en las aceras cómo transcurría la marcha. (Leal, 2007, May 2)

En tres tarimas puestas a lo largo de la vía se presentaron varios grupos musicales con cimarronas y mascaradas.

Vendedores de camisetas, banderas y otros signos del NO hicieron “su agosto”.

La dirigencia del NO también instaló un puesto para vender “bonos” de €1.000 para financiar propaganda y organización. (Murillo & Argüero, 2007, October 1)

This minimization of the movement in the street is consistent with the methods employed by the news media to “discredit” protesters outlined by Parenti (1986). Parenti suggests that news media tends to (1) “trivialize” the movement by emphasizing surface appearance and self indulgent activities, such as the
“costumes” and the “carnival-like” atmosphere described by La Nación; (2) 
“undercount” attendance both in terms of number and in framing (ie: referring to 
“disappointingly small turnout”); and (3) “marginalize” protesters by constructing 
them as a violent, irrational, threatening, disloyal, deviant sample that “lack[s] 
credible politics (p. 100 – 101).

The fear appeal employed during this stage of the discourse takes a 
somewhat different tack, connecting the anti- CAFTA-DR movement with the more 
notorius “left” – Fidel Castro and Hugo Chavez. La Nación ridicules demonstrators 
for “carrying the flag of Venezuela” and “emphasizing” the “good” and “noble” 
intentions of Chavez’s government. The use of quotation marks to qualify the terms 
“good” and “noble” suggest that La Nación completely rejects both the discourse of 
the protestors and that of Chavez’s government more generally.

Otro manifestantes –que no se identificaron– y que portaban banderas de 
Venezuela, llamaron a que el país fortalezca los lazos de amistad con esa nación, y 
destacaron las “buenas” y “nobles” intenciones del gobierno de Hugo Chávez. (Leal, 
2007, May 2)

The reference to Castro and Chavez in news coverage of CAFTA-DR is a new 
tactic for La Nación. In earlier phases of coverage, reference to these contentious 
leaders was limited to editorial and opinion pieces. At this point of the CAFTA-DR 
process, however, La Nación highlights that these “Communists” and “leftists” have 
come to influence Costa Rica, asking Costa Ricans to “vote no,” “struggle against,” 
and “defeat” CAFTA-DR.

Partido Comunista de Cuba pide a ticos votar ‘no’ al TLC (Villalobos & AFP, 2007, 
May 25)

La cumbre del ALBA, que reunió a los presidentes izquierdistas Daniel Ortega, de 
Nicaragua; Hugo Chávez, de Venezuela, y Evo Morales, de Bolivia, así como al
vicepresidente cubano Carlos Lage, hizo un llamado a movilizaciones de solidaridad con la lucha tica contra el TLC. (Mora, 2007, May 1)

El presidente cubano Fidel Castro acogió ayer como suyo un llamado a derrotar el Tratado de Libre Comercio (TLC)(Villalobos, 2007, May 18)

This technique has been noted by elsewhere – for example, Parenti (1986) argues that in its discourse surrounding the U.S. nuclear freeze campaign in 1982, the Reagan Administration, through the mainstream media, was able to delegitimize dissent by connecting it with communism, in effect, “red baiting the peace movement” (p. 102).

According to La Nación, Castro and Chavez “have given the order” that Costa Ricans “should not approve” CAFTA-DR, prompting what La Nación calls a “strong reaction” from the Costa Rican government to what it deems as “interference from a foreign government” in “internal” Costa Rican affairs, that should be “decided by Costa Ricans.” La Nación fails, however, to similarly uncover and critique the interference of foreign capital, in terms of funding pro-CAFTA-DR campaigns.

Como todos sabemos, ya los dictadores Fidel Castro y Hugo Chávez han dado la orden de que el TLC no se debe aprobar en Costa Rica. Al obedecerles, estamos entregándoles nuestra soberanía pues deberíamos ser nosotros los que tomemos las propias decisiones y no esos dictadores. (Bolaños, 2007, August 25)

Este llamado motivó ayer en la tarde una fuerte reacción de molestia del Gobierno costarricense, debido a lo que llamaron una “intromisión de un gobierno extranjero en asuntos internos de Costa Rica”.

La oposición también se pronunció. “Lamento que haya esa intromisión en la vida interna de este país, porque eso lo vamos a decidir entre nosotros. La intromisión externa de cualquier tipo hace daño al ‘no’”, expresó anoche Ottón Solís, excandidato del Partido Acción Ciudadana. (Villalobos, 2007, May 18)

Once again, La Nación works to legitimize institutional resolution of the CAFTA-DR issue. The decisions of Costa Rican can “legitimately” be made, not through social
movements in the streets, which are associated with “incendiary discourse,” “guns,” and “violence,” but rather through electorate voting at the “ballot box,” which is associated with “non-violence” and referred to as a “glorious civic display.”

De ahí que, en esta decisión, no debemos dejarnos llevar por los discursos incendiarios, demagógicos y manifestaciones callejeras de las que ya estamos cansados. Debemos, precisamente por la vía del voto, ante todo, decidir por el bienestar de las grandes mayorías. (Granados, 2007, May 29)

Allí donde otros países escogieron el camino de las armas, las calles, la violencia o la confrontación, nosotros el no violento de las urnas. (Araya, 2007, May 22)

Gracias al TLC, se dio un paso fundamental hacia una democracia más pura y funcional, se dio un paso firme para empezar a desterrar la sindical “democracia” de las calles, y se comenzó a escribir una gloriosa página cívica. (Tovar, 2007, April 30)

While the “glorious civic display” was “legitimized” given the “high level of participation” by the “Costa Rican people” (pueblo costarricense), the triumph for the “people” and their role in the CAFTA-DR saga was short lived. Now that the votes have been tallied, the Alliance for the Yes Vote “maintained” that “legitimately elected” officials, like the Administration and the Legislative Assembly are the “only” ones that should “push forward and debate” CAFTA-DR.

Para la vicepresidenta Laura Chinchilla, el "alto nivel de participación" del pueblo costarricense en el referendum ha "legitimidad" este proceso. (AFP, 2007, October 7)

El coordinador de la Alianza por el Sí, Alfredo Volio, sostuvo que, después del referendo, las instancias legítimamente electas, como el Poder Ejecutivo y la Asamblea Legislativa, son las únicas que deben impulsar y debatir el TLC, y no ninguna organización que promueva “la democracia de las calles”. (Herrera, 2007, October 16)

Through this type of framing, La Nación establishes that the only legitimate activity for the people in the CAFTA-DR process is to vote in a referendum that is the product of the institutional government, and part of a larger institutional framework
that has defined, for the country, the process of CAFTA-DR. That is, to say that “el pueblo” or the Costa Rican people have the power to define the future of not only CAFTA-DR, but also the country as a whole, is empty rhetoric of *La Nación* and the administration. *La Nación* signals to readers that their job as “citizens” is done, and, along similar lines, the social struggle against CAFTA-DR is over.

This framing is supported by an almost absolute emphasis on institutional actors, and their activities to resolve CAFTA-DR. The “public advocate” (*Defensoría*), for instance, “has the right” to “present an argument” of constitutionality to the “Constitutional Court” (*Sala IV*). The “Constitutional Court” (*Sala IV*) holds the power to “admit arguments” of constitutionality, to “study” the issue and to “make pronouncements” and “declare” or “determine” that CAFTA-DR is “constitutional.”

*Defensoría* presenta TLC a consulta en *Sala IV*. El Poder Judicial informó hoy de que el documento es de 100 folios y que la *Defensoría tiene derecho a presentar esta consulta* de acuerdo con la Ley de Jurisdicción Constitucional. (Redacción, 2007, April 27)

*Sala IV admite consulta* de constitucionalidad del TLC. Magistrados tienen un mes para *estudiar y pronunciarse* (Mora, 2007, May 12)

*Sala dará fallo* de TLC a más tardar el 11 de Julio (Murillo, 2007, June 12)

*Sala IV declara constitucional* el TLC (Murillo, 2007, July 3)

*Sala IV resuelve* que el TLC es *constitucional* (Villalobos, 2007, July 4)

The “Electoral Court” (*TSE*) has the power to “authorize” the “collection” of “signatures” for a “binding” “referendum” about CAFTA-DR; it has the power to “define” or “fix” the “date” for the referendum, and also “delay it” in order to “wait for” the Constitutional Court’s “ruling.” The *TSE* also holds the power to define the rules of the referendum such as: how many people need to vote to make it “binding”
or “definitive”— in this case 1,061,000 people, or “40% of the electorate”; who can
“participate” in the “campaign” – “authorizing” “religious figures,” “public officials,”
and “guaranteeing” that Arias can “promote” CAFTA-DR in “tours” across the
“country.” The TSE also oversees this participation, “promoting” a “peace pact”
between “opponents” and “defenders” and encouraging “both groups” to
“remember” the “ethical rules” for “discourse and strategies” of the campaign.

The campaign for the referendum, in addition to the broader CAFTA-DR
process, was dominated by coverage of institutional actors in the Legislative
Assembly. Political “parties” were described as “intensifying” their “campaigns,” as being “on the hunt for votes,” and as “already in the streets explaining” CAFTA-DR to the electorate. The coverage lionizes the pro-CAFTA-DR actors and actions of the PLN and the administration, while demonizing the anti-CAFTA-DR actors and actions of the PAC, Frente Amplio, and PASE.

For instance, “promoters of ‘yes’” to CAFTA-DR are constructed as “forming broad alliances” that include “political parties” such as the PLN, Movimiento Libertario, and PUSC, “industry groups,” “workers,” and “agriculture sectors.” The broad alliance is described as allowing proponents to “organize as a block” and “impose a ‘yes’” vote in the referendum.

*Partidos intensifican* campaña por el TLC (Mora, 2007, August 7)

*Partidos a la caza de votos* para referendo sobre TLC. Las agrupaciones *ya están en las calles explicando* a los electores el TLC (Mora, 2007, June 4)

Promotores del ‘sí’ al TLC intentan *formar amplia alianza. Partidos políticos y grupos de empresarios y trabajadores corren para organizarse como un bloque firme que logre imponer el “sí” en el referendo que se celebraría en setiembre sobre el Tratado de Libre Comercio (TLC).* (Murillo, 2007, May 9)

La Nación constructs the PLN as operating both inside and outside the institutional government to make CAFTA-DR happen for Costa Rica. For instance, PLN deputies are “sent out” to “look for” “yes” votes, “proselytizing in favor” of CAFTA-DR on the “weekends.” During the week, the PLN is busy “intensifying” conversations with other lawmakers inside the legislature as it “looks to strengthen alliances” in favor of the CAFTA-DR laws.

*Diputados del PLN se lanzan a buscar* votos para el ‘sí’ al TLC Mayi Antillón, jefa de los liberacionistas, dijo que el *proseltismo a favor* de acuerdo comercial será la prioridad de sus compañeros en *los fines de semana.* (Venegas, 2007, May 16)
Intensifica conversaciones. PLN busca afianzar alianza pro leyes del TLC (Venegas, 2007, June 20)

Pro CAFTA-DR actors are framed as making positive, forward movement on CAFTA-DR – such as “promoting quick movement” of the “five parallel laws,”

“debuting” the “fast track” process, and “reaching agreements” to “push” forward the parallel laws. Anti CAFTA-DR actors (namely the PAC) are framed negatively, at best as being “cautious,” at worst as “obstructing” the CAFTA-DR process and “disturbing the tentative calendar” set by “pro CAFTA-DR factions” in order to “advance” towards its agenda of implementation.

PLN promueve agilizar cinco leyes paralelas al TLC (Venegas, 2007, July 22)

Diputados estrenan vía rápida con ley paralela del TLC (Vizcaíno, 2007, October 20)

38 diputados logran acuerdos. Empujón a leyes paralelas al TLC (Vizcaíno, 2007, October 23)

PAC cauteloso ante propuesta sobre agenda paralela del TLC (Murillo, 2007, August 3)

Presentación de 1.097 mociones a uno de los proyectos de implementación; Fracciones pro TLC acusan al PAC de obstruir (Vizcaíno, 2007, October 27)

Pesimismo. La presentación de las 1.097 mociones, (789 de ellas entre as 11 a. m. y 6:20 p. m. del jueves) perturbó el calendario tentativo que tenían las fracciones afines al TLC para avanzar con el trámite de la agenda de implementación. (Vizcaíno, 2007, October 27)

A key trend in the framing here, and in previous phases of the coverage, was to emphasize the timetable of the CAFTA-DR process. As mentioned earlier, pro-CAFTA-DR legislators favor a faster pace of movement and try to win “fast track” (vía rápida) for the “parallel laws” of CAFTA-DR. “Fast track” will allow the deputies to “put a time limit” of “22 sessions” “to vote” on the “laws required” for CAFTA-DR
to take effect. Anti-CAFTA-DR actors are once again framed as a drag on the process, announcing that they “will send the ‘fast track’ rule to the Constitutional Court (Sala IV), which “has one month” to rule on its constitutionality. If the Court “doesn’t find problems” with the rule, the “quick movement” could be “applied” in the middle of June.

PLN pretende dar vía rápida a leyes paralelas al TLC (Venegas, 2007, May 7)

Los diputados retomarán mañana la discusión de una reforma al Reglamento que permitiría ponen un plazo de votación de 22 sesiones a los proyectos requeridos para la vigencia del Tratado de Libre Comercio (TLC). (Venegas, 2007, April 18)

El Partido Acción Ciudadana y el Frente Amplio anunciaron que enviarán la reforma reglamentaria nuevamente a consulta a la Sala IV, que dispone de un mes para responder. Si la Sala no encuentra problemas, el trámite ágil podría aplicarse a mediados de junio, para lo que se requieren 38 votos. (Venegas, 2007, May 7)

The emphasis on a timely CAFTA-DR process continues with the framing of the TSE ruling calling for the referendum. Almost immediately after the Tribunal Supremo de Elecciones (TSE) authorized a “citizen initiative” (iniciativa ciudadana), which would require “the collection” of some “132,000 signatures” in order to hold a “popular vote” to “reject or approve” CAFTA-DR, the government announced that it will “decree” the “convocation” of a “binding referendum” about CAFTA, “in order to reduce the time” that will be “consumed” by collecting signatures. The “quicker process” of a “citizen consultation” (consulta ciudadana) will “avoid the collection of signatures” and “shorten the process,” which could “take around a year,” and allow the government to hold the referendum “before September,” as it “aspires.”
El Tribunal Supremo de Elecciones (TSE) autorizó ayer la recolección de unas 132.000 firmas para realizar una votación popular que rechace o apruebe el Tratado de Libre Comercio (TLC). (Murillo & Venegas, 2007, April 13)

El Gobierno anunció hoy que decretará la convocatoria de un referendo vinculante sobre el TLC, para reducir los tiempos que consumirían la recolección de firmas autorizada anteayer por el Tribunal Supremo de Elecciones (TSE). (Murillo, 2007, April 13)

Arias anunció ayer que enviará el martes al Congreso un decreto que convoca a referendo de una manera más expedita que mediante la “iniciativa popular” (Murillo, 2007, April 14)

evitará la recolección de firmas y abreviará el proceso, que hubiera tomado cerca de un año. (AFP, 2007, April 13)

aseguró ayer que aspira a la celebración de la consulta popular antes de setiembre próximo. (Murillo, 2007, April 13)

La Nación goes on to stress the need for a speedy resolution, reminding readers that Costa Rica “only has until March” to “approve” CAFTA-DR. “If it misses that deadline” Costa Rica will “remain outside” the agreement. The looming March 2008 deadline for implementation causes “fear” among “officials” that there “will not be enough time” to approve the “13 parallel laws” needed to gain entry into CAFTA-DR “if ‘yes’ wins the referendum” scheduled for October 7, 2007.

Costa Rica, de hecho, tiene plazo hasta marzo para aprobar el TLC; si se pasa de ese mes, queda fuera del Tratado. (Mayorga, 2007, April 24)

El oficialismo teme que no haya suficiente tiempo para aprobar las 13 leyes paralelas al Tratado de Libre Comercio (TLC), inclusive si triunfa el “sí” en el referendo previsto para el 7 de octubre. (Venegas, 2007, June 15)

Despite the administration’s and the PLN’s efforts to travel the quickest route to CAFTA-DR, the PAC is once again framed as applying the brakes to slow the movement of CAFTA-DR. PAC “demands” that the movement of the “parallel agenda” for CAFTA-DR be “frozen” until “after the referendum” on CAFTA-DR is
held. To add weight to the demands, PAC “threatens” to “obstruct the discussion” of the laws “even if ‘yes’ triumphs in the referendum.”

El Partido Acción Ciudadana (PAC) exigió ayer al presidente Óscar Arias congelar el trámite de la agenda paralela al Tratado de Libre Comercio hasta que se realice el referendo sobre el acuerdo comercial.

En caso de que el Poder Ejecutivo no acoja la petición, el PAC amenaza con obstruir la discusión de los proyectos, aun si triunfa el “sí” en la consulta popular programada para el 23 de setiembre por el Tribunal Supremo de Elecciones. (Venegas, 2007, May 11)

The opposition is framed as making bold threats, yet ultimately opts for softer, institutional routes of resistance that seem to favor the administration and therefore the pro-CAFTA-DR position. The institutionalized resistance uses the discourse of “the street” (la calle) as a threat, proclaiming that if there isn’t “equality in the rules” for the referendum, we are going to “fight” (luchar) in the street. At the same time, however, La Nación’s coverage illustrates how the resistance has more typically used institutional routes, submitting “petitions” to the TSE to establish “equitable rules” for the referendum, and “consultations” to the Constitutional Court (Sala IV), asking it to rule on the constitutionality of the agreement – before the referendum is held.

"Si no hay equidad en las reglas del juego, yo me voy a luchar a la calle", aseguró Trejos.

Trejos dijo que dará tiempo hasta el 15 de agosto al TSE para que se pronuncie sobre las peticiones que le entregaron este martes las organizaciones que rechazan el TLC. (AFP, 2007, July 10)

Legisladores de los partidos Acción Ciudadana, Frente Amplio y Accesibilidad sin Exclusión anunciaron ayer su intención de consultar la constitucionalidad del TLC ante la Sala IV. (Venegas, 2007, April 24)
Los diputados José Merino, del Frente Amplio, y Rafael Madrigal, de Acción Ciudadana, presentaron ayer ante la Sala IV una nueva consulta de constitucionalidad del Tratado de Libre Comercio (TLC) entre Estados Unidos, Centroamérica y República Dominicana. (Mora, 2007, May 25)

Los 19 diputados, de 57, que se oponen al TLC habían presentado hace un mes una consulta de constitucionalidad a la Sala. (AFP, 2007, July 3)

The opposition has also shown respect for, and commitment to, letting the process work. As seen in the quote from the July 10th AFP article – opposition leader Eugenio Trejos, talks a big talk (in terms of threatening to bring the “fight” to the streets) but in the next breath is quoted as saying that he “will give time” for the TSE to “pronounce” its ruling on the petitions. Similarly, when receiving the news that the Constitutional Court (Sala IV) had agreed to review the constitutionality of CAFTA-DR, members of the opposition “expressed” “satisfaction” and “jubilation” and declared that this is a “country of laws” in which “only the Constitutional Court” has the power to decide the constitutionality of CAFTA-DR.

El líder del PAC y uno de los dirigentes del movimiento en contra del TLC, Ottón Solís, expresó su satisfacción por la noticia de hoy: “Quiero expresar mi enorme satisfacción. Me agrada profundamente la actitud de la Sala. Este es un país de leyes”. (Murillo, 2007, May 11)

“Estamos de júbilo; que la Sala haya acogido nuestra consulta es una gran noticia. Es lógico que al someter el TLC a votación quede claro si viola o no la Constitución, y eso solo la Sala lo puede decir”, expresó ayer el jefe de fracción del PAC, Rafael Madrigal. (Murillo, 2007, June 2)

On the other hand, one faction of the opposition – distinctly referred to as “anti-CAFTA-DR group” by La Nación – “does not recognize” the “legitimacy” of the Constitutional Court and the Electoral Court. Proclaiming that these institutional entities “don’t deserve the respect of anyone,” this group and makes a “call for defeating the dictatorship that governs” Costa Rica.
Grupo anti-TLC desconoce legitimidad de Sala IV y TSE Sostiene que esas entidades “no les merecen respeto Alguno;” Hacen un llamado para “derrotar a la dictadura que nos gobierna”. (Villalobos, 2007, July 6)

_La Nación_ quickly delegitimizes this group, not so much through its own discourse, but rather through the “legitimate” opposition it has provided space for in the discourse. According to _La Nación_, “legitimate” factions of the opposition “reject” the “manifesto” of the anti-CAFTA-DR group, saying that the group “is not the spokesperson” for the “no” camp. Both Ottón Solís, and Eugenio Trejos (the President of the United Front of Support Against CAFTA-DR) “accept” the “ruling” as a “legitimate means” for the struggle against CAFTA-DR, and “respect” the “institutional order” and “institutionalized democracy” of the country.

_Rechazan manifiesto_ de grupo anti-TLC..._Upanacional_ no acepta que se la incluya entre los que avalan el manifiesto; Ottón Solís dice que Comisión Nacional de Enlace no es vocera del “no”... “Acepto el fallo de la Sala IV y la meta es el referendo”.

**Respeto.** El presidente del Frente Nacional de Apoyo Contra el TLC, Eugenio Trejos, reiteró que su organización _respeta_ el _ordenamiento institucional_ del país... Trejos dijo que darán la lucha “por todos los medios legítimos y nos mantendremos vigilantes de que se _respete la institucionalidad democrática_.” (Mora, 2007, July 7)

Thus, even though the opposition is given a good amount of reference and coverage, the nature of the discourse serves to diminish the opposition’s power and potential in the ways described earlier, and in Parenti (1986). According to Gitlin (1979) the multiplicity of framing techniques employed by the media allows it to both critique and maintain the existing social system. That is, framing techniques – such as the ones seen here that delegitimize the social movement in the streets – allow the media to “contain the opposition it dare not ignore” (Gitlin, 1979, p. 20).
Gitlin (1979) also reminds us that conflicts between the existing social system and oppositional movements “are played out within boundaries defined by the hegemonic ideology” (p. 23) and as such, *La Nación* limits legitimate opposition to institutional actors who have proven compliant to the terms set by the ruling government. The role of citizens in the movement against CAFTA-DR is almost non-existent, save for voting in the referendum. In terms of informing such voters, *La Nación* reports on both the “yes” (*sí*) and “no” (*no*) campaigns, but in an asymmetrical way.

In framing the “no” campaign, *La Nación* forgoes any real discussion of “reasons” to vote no, and instead chooses to emphasize the largely procedural workings/activities of the opposition. On the other hand, *La Nación* provides a broad set of arguments for CAFTA-DR or “reasons” to vote “yes” (*sí*) on the referendum. The reasons and arguments presented by *La Nación* during this phase are not only identical to those it emphasized during the second phase of discourse, but also very similar to those used by the *NY Times* to frame CAFTA-DR for its readers. That is, *La Nación* used fear appeals of what Costa Rica would lose by staying outside of CAFTA-DR, along with more positive benefits of the agreement. Enhanced market access, it argued, would lead to increased exports and more foreign investment, which would create jobs, grow the economy, and reduce poverty.

While *La Nación*’s framing and the discourse of CAFTA-DR more generally across news and campaign sources was short on providing alternatives to the neoliberal free trade of CAFTA-DR, nowhere is the phrase “there is no alternative”
heard more loudly than in this last phase of discourse. La Nación, mostly through citations of Arias and the “White House,” framed CAFTA-DR as an almost “non decision” – that is, Costa Rica must vote sí or else lose a “universe of opportunity,” which includes its current benefits from the “Caribbean Basin Initiative” (ICC). A “rejection” of CAFTA-DR is framed as absolute, “closing the door” “forever” on a free trade agreement with the United States. Given the “fragility” and “doubts about the permanence” of the Caribbean Basin Initiative, in addition to the adamant stance of the U.S. that it “will not renegotiate,” CAFTA-DR is framed as the only way to “guarantee access” to the U.S. market.

“Si lo rechazamos, ya nunca más podremos volver a entrar. La puerta se cerrará y, con ella, se cerrará un universo de oportunidades” (Murillo, 2007, October 3)

Arias dice que “nunca más” será posible negociar otro TLC con Estados Unidos (Murillo, 2007, October 3)

Gobierno Estadounidense también reiteró fragilidad de la ICC Casa Blanca confirma que no renegociará TLC (Fallas & Villegas, 2007, October 7)

También enfatiza dudas sobre permanencia de la ICC... EE.UU. descarta renegociar TLC (Rodicio, 2007, October 4)

Casa Blanca reafirma que no renegociará TLC con Costa Rica La Casa Blanca añade que el TLC garantiza el acceso de Costa Rica al mercado de los Estados Unidos (Oviedo, 2007, October 6)

**Conclusion**

As evidenced by the findings presented above, La Nación’s coverage of CAFTA-DR seemed to reflect quite strongly the “pressures from above” encapsulated in Thatcher’s original assertion that “there is no alternative” to neoliberalism. La Nación’s framing of CAFTA-DR is almost identical to the framing of CAFTA-DR presented by the Times, which suggests that the global media operate
based on shared class interests rather than cultural idiosyncrasies. This supports the political economy critique, which argues that no matter who produces the content, global or local media companies, the “triumph of capitalist consumerism” is privileged (Sklair, 2002, p.170) because “corporate media may vary in size, structure, temperament, and format, but never in allegiance to their class” (Artz, 2003, p. 20). While this critique is supported by the current analysis, it may also be criticized as too simple and deterministic. It does not account for cases in which the opposition has “won” or broken through the elite, institutional monopoly of the media message. The 2000 Combo Movement in Costa Rica is one such example that reminds us that the media are not monolithic, and that, with ample solidarity across broader society, the movement can “break through” media frames that tend to privilege existing power structures (Kumar, 2008).

*La Nación* struggles to protect its class interests through its framing of CAFTA-DR, which, of course, privileged the neoliberal free trade offered through the agreement. However, perhaps more significantly, *La Nación* also struggled to impose its definition of democracy – one which privileged institutional actors and activities – as hegemonic over competing definitions of democracy – such as the more popular “democracy in the streets.” As illustrated, this was achieved through *La Nación’s* somewhat complex framing of the opposition to CAFTA-DR. On the one hand, *La Nación* gave strong voice to the opposition, creating the illusion of balanced coverage. On the other hand, it distinguished clearly between “resistance from below” (in the streets) and “resistance from above” (in the institutional
government) – thoroughly delegitimizing the former and legitimizing the latter, only
to discredit its tactics, and thus present an opposition that was wholly unconvincing.

That *La Nación* would privilege the neoliberal position of the ruling elite, and favor an institutional definition of democracy while marginalizing a popular participation based definition of democracy is not surprising, given the critical literature on mainstream media, social movements, and democracy (Gitlin, 1980; Solomon, W. 2000; Cohen, 2002; Solomon, N. 2003). These scholars have argued that the corporate media singularly focuses coverage on protest activities and violence, while doing little to explain the position of the movement, or reasons behind its activities. As a result, much academic research on social movements has focused on the ability of the movement to break through the filters of the mass media and use it as a tool for disseminating information and generating empathy among larger portions of the population not directly impacted or linked to the movement. In the case of Costa Rica, however, the movement against CAFTA-DR specifically, and neoliberal policy more generally, had been relatively successful without widespread media coverage.

The success of the movement supports Edwards (2004) claim that public spheres are generated by social movements, when “global” interests of the state (“system”) begin to eclipse and pressure “local” interests of the people (“lifeworld”). Similarly, the control/resistance model of media production (Kumar, 2007) explains that widespread popular support for a movement makes it impossible for mainstream media outlets to marginalize its position and message – thus explaining why *La Nación* was forced to give voice to the opposition, albeit on its own terms. It
is in this way that the media use framing techniques “to tame, to contain, the opposition it dares not ignore” (Gitlin, 1979, p. 20). By recognizing some sort of opposition, the media creates the illusion of objectivity while at the same time privileging the hegemonic ideology. In the case of CAFTA-DR, this insured that the more radical critique of the popular movement that had been developing in the streets would be effectively “tamped down” by more compliant and mainstream critiques within the institutional government, which largely serve to maintain the status quo.

By generating additional support and sympathy among the majority of Costa Ricans, and continuing to generate solidarity among grassroots groups (comités patrióticos), the movement may succeed in forcing La Nación to open more substantial spaces for alternative discourse. However, the movement was successful in using alternative media to communicate its message, as evidenced through the campaign discourse analyzed in Chapter 4 and which may explain, in part, the success it enjoyed despite being marginalized by La Nación.
References


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Chapter 6

Alternative “News Oriented” Discourse of CAFTA-DR: Making a “Better” CAFTA-DR Happen

This chapter reports the findings of a frame analysis conducted on 330 articles sourced from the “news oriented,” independent website maintained by the workers’ union, ANEP. Table 6.1 reports the article counts and their temporal breakdown. The articles were analyzed via the grounded theory method described in Chapter 3. The goal of the chapter is to uncover and highlight the message(s) constructed by opponents to CAFTA-DR, to delineate their arguments, and to assess how or if the discourse:

(a) borrows from the broader rhetoric of the Left described in Chapter 1
(b) adapts to, or synthesizes, the rhetoric of the Left with the Neoliberal rhetoric as theorized by the “precarious middle” position also described in Chapter 1

<table>
<thead>
<tr>
<th>Timeframe</th>
<th>Opposition/ANEP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between Signature &amp; Election (May 2004-Feb. 2006)</td>
<td>45</td>
</tr>
<tr>
<td>After the 2006 Elections (May 2006-March 2007)</td>
<td>123</td>
</tr>
<tr>
<td>Institutionalization (April 2007 – October 2007)</td>
<td>135</td>
</tr>
<tr>
<td>Total</td>
<td>330</td>
</tr>
</tbody>
</table>

Table 6.1: Independent News Oriented Discourse Data Set: Article count by timeframe.

Key Findings

On one hand, the independent media reflected through ANEP provided a more cogent critique of CAFTA-DR than the mainstream La Nación, by highlighting class interests and power asymmetries between “us” (the Costa Rican people; el
pueblo) and "them" (transnational capital and its local representatives, namely, the Arias administration). This aspect of the discourse illustrates how the broader popular rhetoric of the Left is picked up by opponents of CAFTA-DR and used to construct arguments against the agreement. On the other hand, the oppositional discourse also largely accepted the terms of debate and “legitimate” spaces of resolution and resistance as defined by the administration, and solidified through the discourse of La Nación. This reflects how the oppositional discourse adapted to the more institutional, neoliberal rhetoric from above.

Still, key issues such as the “opening” or privatization of the state telecommunication/electricity concern (ICE) and the ethical shadiness of the agreement, which were downplayed by La Nación, were highlighted here. For instance, the opposition discourse critiques the government as an “outside other” in the campaign for CAFTA-DR by highlighting the Vice President’s memo, the heavy foreign funding, and the role of U.S. Ambassador Mark Langdale. Along these lines, the opposition both struggles to legitimize the social movement in the streets (democracia en las calles) yet at the same time accepts La Nación’s frame that institutional actors and spaces hold sole legitimacy in terms of resolving CAFTA-DR. As such, the opposition calls for a struggle on both fronts, a strategy that reflects the “precarious middle” ground delineated in Chapter 1. The resistance dare not offend either side – the neoliberal United States and local capital pressuring from above, or the more socialist Venezuela/Cuba/Bolivia and grassroots anti-CAFTA-DR initiatives pressuring from below. Given the broader critique of the Left’s strategy to temper the ill effects of neoliberalism by operating within the system through a
national bourgeoisie present in the literature, it is not surprising that this watered down resistance strategy ultimately led to failure. Still, the defeat was framed much softer by the discourse – as the beginning of a “more radical” spirit of resistance – a nod to the “other world” that remains a possibility. These key findings are illustrated, and fleshed out in greater detail, in the sections that follow.

**Phase One: Before the Signing of CAFTA-DR (2003-February 1, 2004)**

In this earliest phase, the discourse delivered through ANEP’s website emphasized three key themes – transparency, participation, and authenticity – that come together, in addition to more specific requirements, to frame CAFTA-DR as a sub-par free trade agreement. As with *La Nación’s* coverage, the emphasis here is on the process of CAFTA-DR, which is critiqued negatively based on these three key themes. That is, CAFTA-DR is constructed as emerging from a secretive negotiation process, where a few technocrats, representing the interests of big industry elite rather than the country as a whole, sold out the Costa Rican people (*el pueblo*). This criticism frames CAFTA-DR as a “bad” agreement, and the discourse goes on to emphasize what a “good” agreement “must” and “must not” do – suggesting, albeit without specific ways and means – a need for alternatives. These themes, along with the criteria for “good” and “bad” free trade agreements, are illustrated below.

*No hay transparencia* (There is no transparency)

As reported in the previous chapter, *La Nación’s* framing of CAFTA-DR was somewhat complex – at once framing neoliberal free trade as a good idea by emphasizing its “benefits,” yet still criticizing the CAFTA-DR process as lacking transparency and participation. In many ways, the discourse provided through
ANEP is similar, in terms of emphasizing the “process” over the ideological foundations of the CAFTA-DR model. That is, over half of the articles (14 out of 27) published on the ANEP website during this timeframe criticized the lack, or “absence” of “transparency” and the “secretive,” “hidden,” and/or “anti-democratic” nature of the “negotiation” process.

Las negociaciones secretas (Art. 1; 2003, October 27)

La transparencia ha sido la gran ausente en todo este proceso (Art. 2; 2003, September 20)

la forma oculta y antidemocrática, como hasta ahora se ha manejado este proceso. (Art. 2; 2003, September 20)

When information “existed,” it was criticized as “neither timely, useful, nor sufficient” but rather “cosmetic” and “completely vague.” As a result, the opposition “demands” a “continuous flow of information,” that the government “facilitate” access to the documents about the “contents” of the negotiations, and “render accounts” of its negotiations and positions so that the “people” “know” about all the “decisions” they have made. Further still, the opposition demands to have “access” to the “negotiation sessions” to “truly know” what is “behind” the process.

La información que ha existido no es oportuna, útil ni suficiente para poder evacuar las dudas e inquietudes de la sociedad costarricense, y mucho menos para permitir conocer el desarrollo del proceso. La información ha sido cosmética y la mal llamada "posición nacional" elaborada por COMEX, es sumamente vaga. (Art 3; 2003, November 18)

Demandamos que haya un suministro continuo de información y, en primera instancia, se deben facilitar los documentos de fondo sobre los contenidos de las negociaciones (Art 2; 2003, September 20)
Todas las decisiones que se toman en el marco de las negociaciones comerciales deben ser conocidas por el pueblo, el equipo negociador debe rendir cuentas de sus negociaciones y posiciones (Art. 4; 2002, November 18)

“Nosotros también estamos demandando eso, para ver si podemos tener acceso a las sesiones de negociación para conocer verdaderamente todo el trasfondo de esto” (Art. 5; 2003, November 26).

The lack of transparency surrounding the negotiation and the agreement has generated suspicion among the opposition, which asks, “if the ‘free trade’ agreement with the United States is so good, why keep it secret, why hide it?” (Si el Tratado de "Libre" Comercio con los Estados Unidos (TLC) es tan bueno, ¿porqué lo esconden, porqué lo ocultan? (Art. 6). The answer lies in who is “allowed” to participate in the CAFTA-DR process, and whose interests they serve. While this is the beginning of a class-based critique of CAFTA-DR, the role of local, Costa Rican capital is somewhat downplayed during this, and future phases of the opposition discourse.

The opposition does, however, clearly delineate between the governmental forces that support CAFTA-DR and the more authentic Costa Rican “pueblo,” as illustrated by some of the quotes above, creating an “us” versus “them” power dynamic that materializes on both sides of the issue. As seen in the previous chapter, La Nación framed institutional actors and interests as legitimate in the resistance and resolution of CAFTA-DR. The discourse made available through ANEP struggles against this dominant frame, and illustrates how the resistance is forced to argue its position not on its own terms, but rather on those defined by the ruling class elite (Hall, 1982).
No sólo sea transparentes (Not only transparent)

While the lack of, and need for, transparency was a strong critique in both the mainstream (La Nación) and alternative discourse, the opposition attempted to extend the frame to include citizen action in the CAFTA-DR process. While transparency is admirable, the opposition demands that the process does “more than be” transparent. According to the opposition, the process must “allow for” the “participation of social organizations,” “give explanations,” and must also “correct decisions and actions” if the “citizens” indicate it is necessary.

que no sólo sea transparentes, sino que permitan la participación de organizaciones sociales, y que sea absolutamente imparcial y sumamente especializado. (Art. 7; nd)

Rendir cuentas es más que ser transparente: es dar explicaciones pero también y sobre todo corregir decisiones y acciones si la decisión ciudadana así lo indica. (Art. 8; 2003, December 27)

In this way, the discourse strongly links the idea of transparency with “participation” and “democracy” to form the “minimal conditions” for the “negotiations process” of any free trade agreement. Negotiations, according to the opposition, must be “democratic,” “transparent,” and “inclusive.”

En cuanto al proceso las condiciones mínimas son las de transparencia y participación. (Art. 7; nd)

se requiere que los procesos de toma de decisiones en las negociaciones y resolución de diferencias de las instituciones comerciales internacionales sean democráticos, transparentes, e inclusivos. (Art. 9; 2002, December 16)

The discourse of participation indicates one of the ways in which the broader popular rhetoric of the Left operates behind the scenes of CAFTA-DR and influences the opposition discourse. The WSF’s vision – “Emphasize that ‘another world is possible,’ and realize that we ought to be, in part, about describing it “(Albert 2002)
is clearly reflected in the opposition’s critique of the CAFTA-DR process. The opposition maintains that “radical changes” need to be introduced so that the “consultation” and “participation” of “productive,” “labor,” “environment,” and “social” actors, which “until now” has been very “superficial,” can be made “real,” “effective,” and “decisive.”

 Además, Costa Rica necesita introducir cambios radicales, de forma y de fondo, en cuanto a cómo se ha venido promoviendo la consulta y la participación de los actores productivos, laborales, ambientales y sociales en el proceso negociador. Este proceso, hasta el momento, ha sido muy superficial, burocrático y con suministro de información insuficiente y hasta insustancial. (Art, 10; 2003, March 4)

Todo proceso de acuerdo de integración deberá ser ampliamente difundido y contar con la participación real y efectiva de los actores sociales (Art. 4; 2002, November 18)

Las negociaciones tendientes a establecer un tratado comercial con nuestras naciones, imprescindiblemente, deben estar impregnadas de la más profunda transparencia, la más amplia divulgación y la profunda participación ciudadana, real y decisoria (Art. 8; 2003, December 27)

Sectores campesinos, laborales, ecologistas, magisteriales, cívicos, académicos, religiosos, comunales y de otra índole, mostrarán su fuerte oposición a la negociación de un tratado en el cual no prive la transparencia, la divulgación y la participación con poder decisorio, del pueblo costarricense. (Art. 11; 2003, January 21)

The list of “actors” who can provide the “real and effective participation” called for by the opposition – “peasants,” “laborers,” “ecologists,” “teachers,” along with members of the “civic,” “academic,” and “religious” “communities” – suggests that the participation of other actors, such as the negotiation team, is something less than real and effective. This calls into question the authenticity of the CAFTA-DR process. This key framing device – of the Costa Rican people/citizens (pueblo; ciudadana; población) as “authentic” actors versus the “inauthentic” actors of the
government elite, big industry, transnational corporations, and neoliberals – is presented in the following section.

La posición Costarricense (The Costa Rican position)

As illustrated in the previous sections, the opposition was thoroughly disillusioned by the negotiation process conducted by the government. The “great absence” of transparency was indicative of a process that was considered both “hidden and anti-democratic” with so much unknown not just about the process, but also the “negotiation team” that is charged with negotiating in the “name of the country,” communicating and representing the “Costa Rican position.”

Creemos, señor Presidente, que no existe a la fecha de hoy ninguna claridad ni transparencia en el proceso, y mucho menos de lo que el equipo negociador costarricense ha planteado como la posición de Costa Rica, en aspectos sumamente sensibles. (Art. 9; 2002, December 16)

No hay transparencia sin información publica ciudadana: información completa, oportuna, y verificable, no sólo de la situación nacional que se verá impactada por estas negociaciones, sino y fundamentalmente, del desempeño de las personas, sus acciones, decisiones y posiciones, a cargo de la negociación en nombre del país. (Art. 8; 2003, December 27)

The negotiation team is called into question by the discourse, which describes it as a “group of bureaucrats” who “answer to” the “paradigm of a model” that has proven to be an “abusive” “concentrator of wealth” and “tremendously excluding.”

Opponents demand that the government “guarantee” that there aren’t “conflicts of interests” among negotiators, such as “links” to the “industrial sector” or “double nationality.” It also urges the participation of “radically different actors” that would conduct a more “internal negotiation structure” and yield a “position of the country,” rather than just the position of the “technocracy” served by the “poorly named” “free trade” manuals.
El grupo de funcionarios (as) de Gobierno que lideran ese proceso, responden a un paradigma de modelo que ha demostrado ser abusivo, concentrador de riqueza y tremendamente excluyente (Art. 7; nd)

se hace necesario garantizar que no existan conflictos de intereses en el equipo negociador, sea por su vínculo con parte del sector empresarial o por ostentar doble nacionalidad. (Art. 9; 2002, December 16)

Nuestro Gobierno debe entender que, en aras de la necesaria paz social del país, hay que pasar hacia una participación de tales actores radicalmente distinta, que nos conduzca a una especie de negociación estructural interna; de forma tal que los negociadores costarricenses lleven la posición del país y no la de la tecnocracia de los manuales del mal llamado libre comercio. (Art. 10; 2003, March 4)

It is here that the resistance mounts its most strident critique, in which it exposes the role of local capital in the CAFTA-DR process. The discourse suggests that the original, government appointed negotiators do not represent the interests of Costa Rica, and that a new process, with new actors must be created. Authentic actors, who hold power of “real” participation referenced above, along with the right to define the “Costa Rican position,” are largely referred to as “el pueblo” – a term that translates, literally, into “the town” but is used more colloquially to refer to the natives, the people, citizens, or the population. According to opposition sources, the “people” “must enjoy” the “right” to “self-determination,” to “know,” and to “decide” about the “international trade commitments” made by the government. Given that CAFTA-DR concerns the “entire population” as well as “future generations,” the debate must be “opened” and must “facilitate the incorporation” of the largest number of “people and positions.”

Partiendo de que los pueblos deben gozar del derecho a la autodeterminación y del derecho a conocer y decidir sobre los compromisos comerciales internacionales adquiridos por los Gobiernos (Art. 9; 2002, December 16)
estamos ante un desafío que atañe a toda la población actual del país, así como a las futuras generaciones, de suerte tal que el debate que debe abrirse, debe facilitar la incorporación del mayor número de personas y de posiciones; (Art. 12; 2004, January 29)

This aspect of the discourse is reflective of a broader discourse of national culture and citizenship. Scholars in these areas describe ways in which societies seek to distinguish “real” or legitimate social actors (autochthons) from “fake” or illegitimate social actors (allochthons) in terms of granting citizenship rights, and in the development of both national identity and national policy. At the core of autochthony is a “quest for belonging and for limiting the ranks of those who lay claim to be ‘real’ citizens” (Ceuppens & Geschiere, 2005, p. 386). Literally meaning “from the earth,” the idea of autochthony advocates a return to the local in a hyper-globalized world that threatens to replace the state and national identities with transnational capital and consumer culture.

Claims of authenticity are not always sincere, and while autochthony seems to be rooted firmly in the local, “in practice it is often directly linked to processes of globalization” (Ceuppens & Geschiere, 2005, p.387). According to the literature, and reflected here, through the discourse of CAFTA-DR in Costa Rica, these processes of globalization are naturalized through the discourse of state institutions, which is then amplified and privileged through the commercial media. Competing claims to authenticity, and the ability of global discourses to veil themselves as authentic, has shifted the agenda of autochthony movements towards “the exclusion of supposed ‘strangers’ and the unmasking of ‘fake’ autochthons, who are often citizens of the same nation-state” (p. 385). This is seen clearly in the opposition discourse, which seeks, in part, to unmask the negotiation team and
other government proponents of CAFTA-DR as operating against the broader interests of *el Pueblo* and therefore as illegitimate, and inauthentic social actors.

The dialectic between “*el pueblo*” that represent authentic interests of Costa Rica and the “bureaucrats” that represent inauthentic interests of transnational capital creates an “us versus them” undercurrent in the discourse that makes clear the huge asymmetries between the United States and Costa Rica that were obscured by *La Nación*. Thus, the opposition expresses its own terms here – not only in its opposition to globalization generally, but also to the local ruling class sell-outs. As a result, we can see how CAFTA-DR has prompted a class-based shift in the anti-neoliberal discourse. Discursively, the power asymmetry is exposed through continued reference that the free trade agreement is being “imposed on Costa Rica” (*están imponiendo a Costa Rica*) rather than being agreed to. That is, “they” – the “government of the United States,” with the help of the Costa Rican government via the negotiation team – “want to impose it on us,” the Costa Rican people. Thus laying bare the underlying class conflict inherent in neoliberalism generally, and CAFTA-DR specifically.

tratado de "libre" comercio que le *están imponiendo a Costa Rica* (Art. 13; 2004, January 7)

del Tratado de "Libre" Comercio que nos *están imponiendo*, con los Estados Unidos de América. (Art. 14; 2003, December 17)

La ANEP considera como irresponsable y suicida seguir el ritmo que a este proceso le *impone* el Gobierno de los Estados Unidos de América pues, a final de cuentas, el país saldrá altamente perjudicado (Art. 10; 2003, March 4)

Este es el significado de la "apertura" que *nos quieren imponer*: es la posibilidad de hacer gigantescos negocios para beneficio de los mismos de siempre. (Art. 15; 2003, November)
La profundización del modelo neoliberal que *esta gente* quiere *imponerle* al *pueblo costarricense* (Art. 16; 2003, December)

The “they” of the negotiation team is more strongly criticized as “country sellers” *(vendepatrias)* (Art. 25), for selling out the interests of the Costa Rican people in favor of those with “more power of influence” such as the media conglomerate Grupo Nación, among others.

*El Grupo Nación, el Grupo Sama, Oscar Arias, la cúpula empresarial de UCCAEP, la ANFE, el INCAE, sin hablar de los fantoches libertinos, deben tener para usted un profundo agradecimiento por ese espacio “dado”. Sin embargo, todos ellos juntos, por más plata que tengan y *más poder de influencia* con toda la peonada que tienen enquistada en distintas esferas de decisión del Estado; todos ellos juntos, Sr. Presidente, no son el país, son una parte, pero no son el país. (Art. 13; 2004, January 7)*

This rationale is in line with Desai (2004), which challenges the creation of a “third way” through a national bourgeoisie. Instead, Desai argues that the national bourgeoisie, which had originally seemed to support autonomous accumulation, has shifted toward neoliberal policy and globalization, in effect becoming a “comprador bourgeoisie” (p. 182) that sells out local interests for its own minority benefit. The idea that capital knows no nationality and behaves similarly regardless of its transnational or local tenor, is further supported by Artz (2003) and Sklair (2002), which specifically apply the concept to the global media.

On the other hand, the oppositional discourse also downplays and obscures the interests of local capital in making CAFTA-DR happen. The government is criticized as “responding” to the “interests” of “neoliberals” and the “United States,” while creating “openly unfavorable conditions” for “national interests,” which are left largely undefined. Neoliberal free trade, according to the opposition, has served to “open the markets” to the “benefit of transnational capital,” at the “cost of the
strangulation” of our “national economies” and the “deterioration of the quality of life” of “our people.”

En la coyuntura actual, esas políticas se pretenden profundizar con el Tratado de Libre Comercio (TLC), cuya negociación está por concluir entre el gobierno que responde a los intereses neoliberales (que han contribuido a financiar las campañas políticas con donaciones de dudosa procedencia) y Estados Unidos, en condiciones abiertamente desfavorables para los intereses nacionales. (Art. 17; nd)

Consideramos que estos tratados de libre comercio, sustentados también en las disposiciones de la Organización Mundial del Comercio (OMC), han servido, principalmente, para abrir los mercados en beneficio del capital transnacional a costa del estrangulamiento de nuestras economías nacionales y el constante deterioro de la calidad de vida de nuestros pueblos (Art. 2; 2003, September 20)

While “el Pueblo” is emphasized here, a concrete definition of the concept is not, thus providing space for the continued struggle for a hegemonic definition. As such, opponents demand “assurances” that any agreement “serves the “workers” and all the “social sectors” of the region, “not just” “big industry,” like big U.S. “farms” that are “strongly subsidized” while the “small Costa Rican peasant farmers” “don’t receive a “penny.” The role of larger, corporate Costa Rican farms is thus obscured, and local capital is erased from the CAFTA-DR equation.

“Se trata de asegurar que cualquier acuerdo de integración entre nuestros países sirva a los trabajadores y a todos los sectores sociales de la región y no solamente a las grandes empresas.” (Art. 18; 2002, November 18)

Los agricultores de Estados Unidos son fuertemente subsidiados por su gobierno: ¡1.000 millones de dólares, al día! Los campesinos de Tiquicia, ni una peseta reciben. ¿Es esto ”libre” competencia?... Nuestros agricultores serán arruinados. (Art. 6; nd)

Generally speaking, the opposition discourse outlined several key issues that any free trade agreement the country engages in must consider. This reflects how the opposition – whether by force, or choice – accepts the “neoliberal” terms of the debate in its own framing CAFTA-DR as an issue. As discussed in Chapter 1, “free
trade” is a key tenet of neoliberalism, and as such, a mainstay in the neoliberal discourse from above. By framing CAFTA-DR in terms of “free trade,” the opposition adapts to the discourse from above and privileges the neoliberal discourse of “free” trade. The opposition could have framed CAFTA-DR in terms of the solidarity (“compañerismo”) and direct action/participation expressed via the discourse from below, but instead it reinforces the neoliberal model.

Still, the opposition takes a somewhat nuanced stance – while it accepts the term “free” trade as fundamental in the CAFTA-DR debate, it also seeks to delineate an alternative vision or definition of “free” trade. This vision was outlined across several articles, included in letters to the President, and presented in position statements provided by ANEP and other social groups. According to the opposition, a “good” trade agreement must include: agriculture, work (labor laws), the environment, government procurement, investment, debt, market access, dispute resolution, state or public services (ie: social security, telecommunications & electricity, insurance), intellectual property rights, gender, transparency, and migration. The following section outlines the strong current in the discourse of what a free trade agreement “must” and “must not” bring to the country.

Debe/no debe (Must/must not)

In delineating “good” versus “bad” trade agreements and negotiations, opponents suggest that a “good” trade agreement must “start from a solid base of fair trade” that takes into account the unique context of Central America – in terms of economics, access to technology, infrastructure, the handling of capital, the size of the market, and sociocultural, ecological, and institutional particularities that we
have adopted as civilized nations. From this foundation, a “good agreement” will generate “dignified jobs,” elevate the “living conditions” for all people, strengthen the foundations for “human rights,” the “environment,” and democracy, while promoting “social development. Once again, these terms fall in line nicely with those set by La Nación, and, by not providing a clearly defined, specific alternative free trade model, the opposition reduces the struggle to rhetoric, a virtual “he said, she said,” with both sides claiming dominance through the same terms.

Las negociaciones tendientes a establecer un tratado comercial con nuestras naciones deben partir de una base sólida de comercio justo, que tome en cuenta las dimensiones de nuestras economías, el acceso tecnológico, las posibilidades infraestructurales, el manejo de capital, el tamaño del mercado y las particularidades socioculturales, ecológicas e institucionales que, soberanamente, hemos adoptado como naciones civilizadas. (Art. 8; 2003, December 27)

Para tal efecto se deben estimular políticas de generación de empleos dignos, suficientes y productivos para descartar la competencia comercial vía salarios bajos y condiciones laborales deplorables. (Art. 9; 2002, December 16)

el desarrollo económico y la intensificación del comercio en los países de la región deben servir a la elevación de las condiciones de vida de todos los pueblos y fortalecer el respeto de los derechos humanos y ambientales fundamentales, a través de una mejor distribución de los ingresos entre los países desarrollados y los no desarrollados, y dentro de cada sociedad nacional, de manera tal que el proceso de integración implique una real promoción del desarrollo social y de fortale-cimiento de la democracia. (Art. 18; 2002, November 18)

On the other hand, the opposition discourse struggles to expand the terms of debate to include negative aspects of free trade agreements that must be avoided. A free trade agreement must NOT “simply repeat” the same model of free trade that has “increased the power of big industry” and the “free flow of capital and products,” while “diminishing” the power of “workers,” “communities,” and “democratic structures” of our “towns.” Free trade agreements should not “hurt the guarantees” of “indigenous and tribal people,” have a “negative impact” on the “environment,”
give “privileges” to “transnational corporations” “over national laws” nor should a
free trade agreement give them the ability to argue against “national laws in the
public interest” in “secret tribunals.” In addition to NOT superceding national laws
and sovereignty, a free trade agreement must not force “additional commitments”
on “intellectual property,” above those required by the WTO (OMC), and if it does,
the country must “oppose” any “initiative that tries to extend the duration of
patents.”

Nuestros gobiernos no deberían simplemente repetir el mismo modelo de libre
comercio que aumenta el poder de las grandes empresas y el libre flujo de capital y
productos, mientras disminuye el poder de los trabajadores, las comunidades y las
estructuras democráticas de nuestros pueblos. (Art. 18; 2002, November 18)

los acuerdos de integración no deben lesionar las garantías de los pueblos
indígenas y tribales, y no deben tener impacto negativo a la protección del medio
ambiente y la equidad de género (Art. 18; 2002, November 18)

Los tratados de integración económica no deben otorgar privilegios a las empresas
transnacionales por encima de las leyes nacionales, incluyendo la facultad para
demandar contra las leyes nacionales de interés público en tribunales secretos
(Art. 18; 2002, November 18)

estamos convencidos de que la negociación del TLC no debe implicar ningún
compromiso adicional a lo que ya se ha establecido en materia de propiedad
intelectual en la OMC… El país debe oponerse a cualquier iniciativa que pretenda
extender la duración de las patentes o del monopolio de un producto, más allá de
los veinte años de vigencia de la patente. (Art 3; 2003, November 18)

This last example illustrates a key difference in the oppositional discourse in terms
of making a call to action in terms of what the country “must” do – in this case
“oppose whichever initiative.” This call to action will grow louder, and be addressed
to different actors, as we move forward through the various phases of discourse.
**Nos vemos en la calle (We will see each other in the street)**

This first phase of discourse included the “beginning” of “citizens actions” in the “street,” the “formalization” of the “civic commitment” of “diverse and numerous” “social sectors,” which, together, “make stronger” the exercise of “democracy in the streets.”

TLC: lunes *inicia* cadena de *acciones ciudadanas en la calle*... la *formalización* de un *compromiso cívico* de la *diversidad y multiplicidad de sectores sociales*, para *potenciar* juntos, el ejercicio de la *democracia de la calle*. (Art. 14; 2003, October 17)

The actual “call” to the streets was most closely associated with the privatization of state owned industries such as social security ("la caja"; CCSS), electricity/telecommunications (ICE), and insurance (INS) – a process euphemistically referred to as the “opening” (apertura) by the government and neoliberal apologists. These calls “to the street” are the most impassioned, almost demanding that we “prepare ourselves” and “go out,” “using” “democracy of the street” to “defend” the “valuable Costa Rican social state” and “demand” that they “tell us” the whole “truth” about CAFTA-DR. In short, the opposition promises “we will see each other in the streets.”

¡**PREPARÉMONOS!, NOS VEMOS EN LAS CALLES. USANDO LA DEMOCRACIA DE LA CALLE, DEFENDEREMOS EL VALIOSO PATRIMONIO NACIONAL QUE NOS FUE LEGADO.** (Art. 6; nd)

*En la calle nos vemos...* (Art. 1; 2003, October 27)

**Salgamos a la calle** Lunes 24 de noviembre: Un día por Costa Rica. (Art. 15; 2003, November)

**SALGAMOS A LA CALLE EL LUNES 24 DE NOVIEMBRE. EXIJAMOS QUE SE NOS DIGA TODA LA VERDAD DEL TLC. DEFENDAMOS A LA CAJA.** (Art. 19; 2003, November 13)

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75 The emphasis in terms of the "all caps" format was included in the original document and thus replicated here.
“La calle” plays an important role in the discourse throughout the phases of CAFTA-DR coverage, and across both mainstream and independent media sources. During this initial phase, the opposition emphasizes “citizen action” in “the street” as an acceptable, or legitimate, route for resistance to CAFTA-DR. According to the opposition, the “answer” to the “salvage neoliberal attack” of CAFTA-DR is in “the streets.” Democracy is something “more than” a “four-year electoral exercise” – a clear jab at the framing of democracy by La Nación and the administration – it is a “fundamental life experience” and in this case, “fully legitimate.”

La respuesta al salvaje ataque neoliberal, vía TLC, está en las calles. Los que apreciamos el valor real del sistema democrático, sabemos que la democracia es algo más que la circunstancia del ejercicio electoral cuatrienal. Por el contrario, la democracia es una experiencia fundamental de vida y, en casos como el que nos ocupa, la democracia de la calle tiene sobrada legitimidad como para apelar a su uso. (Art. 20; 2004, January 29)

The interweaving of routes to resistance with appeals to democracy and legitimacy is a recurring aspect of the discourse that will be returned to in subsequent sections.

**Phase Two: Between Signature and the February 2006 Election (May 2004-February 2006)**

In this second phase of the discourse, the emphasis on CAFTA-DR as “imposed” on Costa Rica continued, albeit in a somewhat nuanced way. That is, in the first phase “imponer” was used to communicate the asymmetrical power positions of capital versus popular interests. Here, we see an extension of the “imponer” frame, with the language being used to distinguish between “their” model of development, which serves the interests of transnationals, and “our” model of
development, which has made Costa Rica “different” from its neighbors in terms of economic success, strong social programs and institutions, and an unwavering democratic spirit.

Because Costa Rica is different from, and seemingly better than, its Central American neighbors, it needs to seek out alternatives, such as the Caribbean Basin Initiative and General System of Preferences, that serve Costa Rican interests and provide a model of development that is more in tune with the Costa Rican sensibility, or that is more authentically Costa Rican. Contributing to the overall power of the “alternatives” frame is the argument of “renegotiation” that is emphasized by the opposition during this phase of the discourse.

The emphasis on “renegotiation” brings the resistance back to the negotiation table, and out of the streets. This is supported by the virtual absence of calls to “the street” (las calles) in this phase of the discourse. Instead, the opposition emphasizes the need for debate/discussion/dialogue as a means to perhaps not “resist” CAFTA-DR but to make a “better” CAFTA-DR happen. There is still an emphasis on “the fight” (la lucha), but the location of the struggle is less clear than the straightforward call to “the streets” (las calles) made during the first phase. These findings are elaborated upon in the sections that follow.

_Nos quiere imponer (They want to impose it on us)_

During this phase of the discourse the opposition frames the “imposition” of CAFTA-DR in terms of a battle of worldviews – “their” (the U.S., neoliberal) model versus “our” (the Costa Rican, solidarity state) model. The discourse describes

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76 Throughout this Chapter I will refer to the “Costa Rican model” as a means to identify the strong state, social institution strategy employed by Costa Rica as its model for development. This is simply my notation to describe the model, and not representative of any larger theory or developmental model.
“their” model (su modelo), often invoking the label “neoliberal” but always
describing the same key tenets – the “totalitarianism of the free market,” the
“giving” of state owned industries such as “telecommunications,” “insurance,” and
“healthcare” to “private companies” or “transnationals,” and the placing of these
“capital interests” “ahead of the necessities of the people.”

Este criterio de inspiración ideológica neoliberal, recorre -como si de su sangre se
tratara- todo el tratado. (Art. 21; 2005, August 22)

tengamos en cuenta que con este tipo de tratados comerciales, y de acuerdo a la
lógica mercantil y neoliberal (Art. 22; nd)

[el TLC] lo que buscan es convertir en ley supranacional el modelo neoliberal, y
ser con ello una especie de seguro contra cambios democráticos. (Art. 23; 2005,
May 12)

El neoliberalismo es la ideología del totalitarianismo del libre mercado. (Art. 24;
2005, August 16)

Que en el marco del TLC, el país se compromete a reformar el marco institucional
del modelo actual de Estado; otorgando la explotación telecomunicaciones,
seguros y salud a empresas privadas, siendo hasta ahora estas, bases del modelo
de país y de Estado solidario de la Costa Rica de hoy. (Art. 25; 2005, May)

ante la clase política, que amparado al TLC, pretende imponer su modelo
económico, entregando la salud, la educación, las telecomunicaciones, los seguros,
la agricultura, la energía, la biodiversidad, la soberanía, etc., a las transnacionales.
(Art. 25; 2005, May)

El TLC coloca los intereses de las empresas por encima de las necesidades de las
personas a través de un poderoso instrumento jurídico, más fuerte que toda ley,
capaz de castrar la iniciativa política y social favorable a los millones de pobres de
Centroamérica. (Art. 26; 2005, August 2)

While “their” model favors capital, the Costa Rican model, “our model” (nuestro
modelo), is based on the Christian principles of “solidarity and humanism,”
operating through “institutions and industries of the state,” which make “strategic
investments” in the “public interest” and manage the “distribution and
redistribution of wealth.” At the same time, however, Costa Rica also “respects private initiative” and allows transnationals to play a “complementary” “role” to “national investment.” With this sentiment, we see clearly, how Costa Rica sits poised in the middle between the strong neoliberalism of the U.S. from above, and the strong “socialism for the 21st century” of ALBA/Venezuela from below. In almost the same breath, the opposition annunciates the discourse of solidarity (from below) and the discourse of individualism & private initiative (from above).

By expressing these terms in the discourse, the resistance illustrates how the anti-neoliberal strategies of the Left have, on the whole, been incapable of turning back neoliberal reform. According to Ellner (2004), strategies for resistance that emphasize reform from within the existing capitalist system amount to nothing more than the “third wave neoliberalism” described by Petras (2003), and do little more than domesticate leftist ideals in terms of economic policy. As such, “few on the left in Latin America condemn privatization or foreign capital per se” (Ellner,
2004, p. 11), and thus the promise of a “progressive” national bourgeoisie remain unfulfilled.

Despite this problematic discourse, which continues to privilege foreign capital in national investment, the opposition adopts a strong nationalist tone in terms of describing and delineating what it conceives of as a uniquely Costa Rican model of development. The Costa Rican “model of development” has been very successful, allowing Costa Rica to be the “highest” ranked Latin American country in terms of the “human development index” while the other Latin American countries that “implemented” the neoliberal policies of the “Washington Consensus” – including the “other four Central American countries” in CAFTA-DR – experienced “so much misery.” CAFTA-DR promises to extend that misery to Costa Rica by “substantially reducing” the “living standards,” causing the “imminent disappearance of national agricultural,” and “handing over” Costa Rica’s “native development” for now, and for the future, to the neoliberal, capital interests defined above.

este modelo de desarrollo ha permitido a la familia costarricense, exhibir los más altos índices de desarrollo humano de todo el continente latinoamericano; a pesar de la pequeñez de nuestra economía y al deterioro sufrido por la implementación de los programas de ajuste estructural y las políticas del llamado Consenso de Washington que tanta miseria han dejado en todo el continente latinoamericano. (Art. 27; 2005, February 17)

Costa Rica, que debería haber sido el modelo a impulsar de cara a los otros cuatro países centroamericanos, verá reducido, sustancialmente, sus niveles de vida en los ámbitos laboral, social y ambiental; pues el TLC la nivela "para abajo". (Art. 29; 2005, May 23)

aunado a la inminente desaparición de la agricultura nacional por el tipo de TLC que nos quieren imponer (Art. 29; 2005, May 23)
El Tratado de Libre Comercio, aprobado ya en Estados Unidos por apenas dos votos de diferencia, sella la suerte de Centroamérica por los próximos ¿cien? ¿doscientos? años, ya que representa una renuncia al desarrollo autóctono para el momento actual y para el futuro. (Art. 24; 2005, August 16)

Thus, “from whichever angle you view it,” CAFTA-DR is an “illegitimate” proposal, it “offends our idiosyncrasies” and violates our right to “define our own project of development.” Where La Nación veiled the global interests of capital as one and the same as Costa Rican interests, the opposition lays bares the contradictions. CAFTA-DR “destroys our model of development” by overruling decisions already made by the “Costa Rican people” to “reject” “imposing” decisions about the “opening of some public services” even though “the Costa Rican people have already rejected” such measures.

El tratado de "libre" comercio (TLC), con los Estados Unidos que se nos quiere imponer, es una propuesta ilegítima desde cualquier ángulo que se le mire. (Art. 30; nd)

este TLC, pues el mismo ofende nuestra idiosincrasia, quebranta nuestra institucionalidad, humilla nuestra dignidad e irrespecta el derecho que como pueblo tenemos para definir nuestro propio proyecto de desarrollo. (Art. 27; 2005, February 17)

Por ello, no entendemos Sr. Presidente Bush, porque su Gobierno intenta imponernos la firma de un tratado de libre comercio, que destruye nuestro modelo de desarrollo, fundamento de nuestra cultura nacional y de la institucionalidad democrática que el mundo nos reconoce. (Art. 27; 2005, February 17)

El tratado impone decisiones sobre aspectos que internamente la población costarricense ha rechazado, de manera sistemática, entre los que se puede señalar la apertura de algunos servicios públicos, como sucede con el Instituto Costarricense de Electricidad (ICE) y el Instituto Nacional de Seguros. (Art. 31; 2005, November)

nos quieren imponer un TLC que, de un solo porrazo, acabará, totalmente, con el todavía vigente Estado Social de Derecho que nos hizo distintos del resto de Centroamérica (Art. 32; 2004, May 25)
As a result of neoliberalism seeping into the Costa Rican model, there is “clear evidence” that the Costa Rica of today is a country with “more poor and unemployed” than the Costa Rica of “three decades ago” (*hace tres décadas*). What had made Costa Rica distinct from the rest of Central America has, with neoliberal reforms, faded. The discourse expresses a strong sense of history, and a yearning for Costa Rica to “recover its prestige” and “return” to its rightful position as “benchmark” for not only Central America, but also the rest of “the countries on the planet.” Emotional appeals to “resist” the “Central Americanization” of Costa Rica echo calls to “reclaim the Costa Rican route” or the development model that had made this country a “pioneer and example.” To do so, Costa Rica must “look for” other routes to development, a theme in the discourse that is discussed in the subsequent section.

Al respecto debemos señalar que existe una *clara evidencia* de que hoy somos un país con *más pobres y desempleados/as* que *hace tres décadas*. (Art. 31; 2005, November)

Yo, como costarricense, me *resisto* a que me “centro-americanicen”, salarial y socialmente con el TLC de ellos. Yo quiero seguir siendo costarricense. (Art. 32; 2004, May 25)

*Recuperemos la vía costarricense* que convirtió a este país en *pionero y ejemplo*, podemos decirle al mundo que aun insertos en la Globalización, vamos a decidir que país queremos, y que podemos *recuperar el prestigio de volver* a ser un *marco de referencia* para los demás *países del planeta*. (Art. 33; 2005, September 28)

*Buscar otros caminos (Look for other ways)*

As illustrated in the previous section, the opposition draws stark contrasts between the nature and effects of “their,” neoliberal model versus “our,” social state model. The discourse emphasizes the superiority of the Costa Rican model and as such, expresses a strong need to “look for other ways” (*buscar otros caminos*) or
trade projects that are more in line with Costa Rica’s vision of itself. The discourse calls for Costa Rica to “look for” alternatives that satisfy general principles such as “fair trade,” “solidarity,” and “cooperation” – which reflects the broader popular discourse from below – yet which also provide “market access” and help local producers “compete” – clear evidence of the neoliberal discourse from above.

Acompañar al movimiento social para concientizar y movilizar a las comunidades en busca de un desarrollo humano justo, solidario y alternativo (Art. 25; 2005, May)

el TLC debe ser rechazado para dar paso a una conceptualización del desarrollo de nuestros países con base en los principios de comercio justo y con base en una cooperación que reconozca las descomunales asimetrías entre la economía estadounidense y las nuestras. (Art. 29; 2005, May 23)

sede de la X Ronda de Negociaciones del Tratado de Libre Comercio, para exigir que Ecuador se retire de las nego-ciaaciones, y busque otras alternativas comerciales, en donde los pequeños productores puedan competir y los ecuatorianos mantengan el control de su soberanía. (Art. 34; 2005, May)

En el caso de que el diálogo lleve a la no aprobación del TLC, será preciso proponer medidas alternativas, para buscar otros caminos que conduzcan a garantizar el acceso a otros mercados de nuestros productos agroindustriales, bienes y servicios. (Art. 35; nd)

While in the previous phase of discourse these calls for “alternatives” were left intangible and ill-defined, during this phase we see a shift in the discourse, offering existing trade programs, such as the Caribbean Basin Initiative – CBI (Iniciativa de la Cuenca del Caribe – ICC) and the General System of Preferences – GSP (Sistema Generalizado de Preferencias – SGP) as good alternatives that make CAFTA-DR unnecessary. This provides a very limited critique, as it allows the underlying neoliberal system to remain intact, rather than calling for the model to be thrown out. In fact, the oppositional discourse seems to sing the praises of these existing neoliberal trade agreements.
That is, “thanks to the privileges” provided by CBI & GSP, Central America “can export” “sugar” and “textile or clothes” to the United States. Given that the “majority of goods” from the six CAFTA-DR nations “are already entering” the U.S. market “free of the burdens” of tariffs, the “best help” that can be offered – “for now” – is the “preservation” of the GSP & CBI, which “reinforce” or strengthen “labor laws” whereas CAFTA-DR “diminishes” them.

Centroamérica puede exportar a los EE.UU. azúcar, textiles o ropa, gracias a los privilegios concedidos en la Iniciativa de la Cuenca del Caribe o en el Sistema General de Preferencias. (Art. 36; 2004, December 15)

la mayoría de bienes de las seis naciones centroamericanas ya están entrando al mercado de USA libres de gravámenes en virtud de la iniciativa de la Cuenca del Caribe. (Art. 37; 2005, May 27)

la mejor ayuda que se puede brindar, por ahora, es la referida a la preservación del Sistema Generalizado de Preferencias (SGP) y de la Iniciativa de la Cuenca del Caribe (ICC), por ejemplo. (Art. 29; 2005, May 23)

Al mismo tiempo que el CAFTA disminuye exigencias en programas regionales comerciales existentes, la Iniciativa de la Cuenca del Caribe y el Sistema Generalizado de Preferencias requieren que naciones reesfuercen leyes de trabajo para satisfacer los estándares principales de la Organización Internacional de Trabajo. (Art. 38; 2005, May 27)

It becomes clear, at this point of the discourse, that resisting one neoliberal free trade agreement (CAFTA-DR) by appealing to the extention of another neoliberal free trade agreement (CBI) is not resisting or opposing neoliberalism at all.

Yet still, as part of the “search” for alternatives, the oppositional discourse stresses that “only a renegotiation can resolve” the CAFTA-DR issue. The discourse calls for a “totally new” trade “instrument” of “mutual benefit” and suggests that it can be achieved through “new forms of negotiation” that “integrate” and create
“unity” among Central and Latin America, allowing Central America to negotiate “better.”

*solo una renegociación resolvería* (Art. 39; 2005, June 24)

*convenir un instrumento totalmente nuevo, de mutuo beneficio.* (Art. 26; 2005, August 2)

¿no sería mejor hablar de *nuevas formas de negociar y relacionarnos con Estados Unidos?* (Art. 40; nd)

Los Estados centroamericanos podrán *negociar mejor* si apoyan la estrategia de *integrar* a la América Latina y, desde la fuerza de la *unidad*, negociar con los EE.UU. y el resto del mundo en la OMC. (Art. 36; 2004, December 15)

*entrar con una negociación con USA mucho mejor* a la actual. (Art. 33; 2005, September 28)

This shifts the resistance back to the institutional space of the negotiation table, a space dominated by capital elites, dooming the opposition movement to failure.

From a critical perspective, this failure is not surprising. Theorists such as Ellner (2004), Desai (2004), and Petras (2005) would doubt the possibility of a “totally new” trade instrument and totally new forms of negotiation, given the inability of the national bourgeoisie to create a truly progressive neoliberal enterprise. In short, there is no such thing as a “progressive” bourgeoisie given the natural need of capital to seek accumulation at all costs. As such, the national bourgeoisie, as seen in Argentina (Petras, 2005), becomes a “comprador bourgeoisie” (Desai, 2004), willing to sell out the interests of the larger, national majority, for its own minority benefit.

*Fomentar discusiones (Fostering discussions)*

The emphasis on “negotiating better” or simply renegotiating CAFTA-DR on terms more beneficial to Costa Rica suggests a shift from the strong discourse of
resistance to the softer discourse of cooperation within existing institutional structures. Routes for resistance, which, in the previous phase of coverage were defined largely as in “the streets,” begin to become more institutionalized, with the discourse emphasizing renegotiation and dialogue/debate/discussion as a means for “configuring more just terms” for CAFTA-DR. The strong call to the street in the previous phase is to be expected, given the fresh memory of the successful COMBO movement in 2000, and corruption scandals (discussed in Chapter 3) that plagued the Costa Rican presidency since the late 1990’s and generally delegitimized institutional spaces and routes to resolution. During this phase, however, society was gearing up towards a Presidential election, and institutional participation via the electorate was emphasized. Thus, the discourse on CAFTA-DR reflected this shift to discussion and debate.

According to the discourse, what is needed is an “increased,” “ample/suitable,” “true dialogue” between “civil society” and “political organizations.” This dialogue would “give the opportunity to reflect” about “what benefits the largest majority,” and how to combine “economic growth” with “equality and sustainability” to configure “fairer terms” for CAFTA-DR. On its own, however, the discussion is “absent,” so the discourse emphasizes the role of the resistance as “asking for,” “promoting,” and “creating spaces and forms” of dialogue. This frames the “fight” (la lucha) in different terms from the previous phase of discourse, ones which are more consistent with those set by La Nación.

pedimos al Gobierno y a todos los actores sociales del país que se incremente el diálogo entre todos los sectores del país. (Art. 25; 2005, May)
No podemos perder de vista el amplio contexto socioeconómico, que tenemos como punto de referencia obligado, para discutir adecuadamente el Tratado de Libre Comercio entre Costa Rica y Estados Unidos de Norteamérica. (Art. 35; nd)

El discernimiento o la lectura ética de una medida económica deben realizarla las comunidades, en un verdadero diálogo. (Art. 25; 2005, May)

Tercero, promover un diálogo entre la sociedad civil y las organizaciones políticas con el propósito de intercambiars en un ambiente franco, una angustia sentida por el futuro de Costa Rica. (Art. 41; 2005, August 12)

Fomentar discusiones acerca del TLC, que den la oportunidad de reflexionar sobre la situación de los sectores pobres a fin de incorporar una concepción más solidaria que beneficie a las grandes mayorías, que propugne relaciones equitativas entre los países y fundamentalmente que propicie mejoras en las vidas de los pobres, en su entorno y en sus expectativas. (Art. 25; 2005, May)

es urgente que el país discuta y decida cuál debe ser el modelo de desarrollo que retome el camino de combinar el crecimiento económico con equidad y sostenibilidad. (Art. 31; 2005, November)

Que hay signos diversos que evidencian una actitud de imposición en la aprobación de este tratado, y por ende la ausencia de espacios para discutir el TLC, a fin de configurar uno términos más justos. (Art. 25; 2005, May)

Nos interesa la creación de espacios y formas de diálogo que permitan que éste se realice de manera ética y conducente a acuerdos operativos, que sean asumidos por las instancias políticas correspondientes. (Art. 35; nd)

Even though the discourse shifts the site of resistance from the streets to the institutional negotiation table, it still calls on “el pueblo” to resist the free trade agreement – albeit through softer and less tangible terms.

¡La lucha sigue! (The fight continues!)

While Costa Ricans are “invited” to “continue” the “fight” – which is constructed as “continuing” and “not finished” – the call to action is left relatively open ended in comparison to the loud and clear call to the “streets” included in the earlier phase of discourse. While the discourse calls for “new spaces” to be opened up for the fight, it does little to suggest the location of that fight, instead choosing to
“call for” a broader spirit of resistance. That is, the opposition encourages readers to “protest” and “demonstrate” – even engage in “work stoppages” – but the discourse of “la calle,” which is truly a discourse from below, is virtually silent.

*Invitamos* a nuestros hermanos costarricenses a que *continúen en sus luchas* no sólo por impedir la ratificación de este atroz Tratado, sino, además, para impedir que se despoje al pueblo de lo que le pertenece y se entreguen los bienes del Estado al voraz sector privado y a las codiciosas transnacionales. (Art. 42; 2006, January 24)

¡Basta ya! ¡*La lucha sigue*!! (Art. 42; 2006, January 24)

La jornada nacional de lucha contra el "TLC" cumplió con nuestros objetivos, hubo *manifestaciones* prácticamente en todas las regiones del país, pero la agenda *no está acabada*. (Art. 43; 2005, May 18)

Hay que abrir *nuevos espacios de lucha* y hay que dar las batallas que correspondan, con las armas que facultan los tiempos de paz. (Art. 42; 2006, January 24)

*Llamamos* pues a todo el pueblo de Costa Rica, lastimado en lo más profundo por esa clase política corrupta y corroída a *protestar* contra lo que ocurre en nuestro país, cuando un sector político económico neoliberal, que amparado al TLC, pretende imponer su modelo económico, es decir la contrarreforma social, entregando la salud, la educación, las telecomunicaciones, los seguros, la agricultura, la energía, la biodiversidad, la soberanía, etc., a las transnacionales.... ¡*Por la defensa de la Patria, NO al TLC!* (Art. 23; 2005, May 12)

enviamos nuestra solidaridad a los agricultores en su día, que también están sumados en la causa común contra ese TLC anexionista. Nos sumamos también a las miles de familias costarricenses que día a día miran como su salario no alcanza y los *llamamos* a sumarse a la *protesta* nacional. (Art. 23; 2005, May 12)

La Dirección Nacional de ANEP, llama a todas sus seccionales, delegados y delegadas y bases de todo el país, a prepararnos para realizar en las próximas semanas, un *PARO TOTAL DE LABORES* (Art. 43; 2005, May 18)

*Llamamos a manifestarse* a los cristianos y a todos los hombres y mujeres de buena voluntad a junto las organizaciones de la sociedad civil organizada, la comunidad ecuménica y a todas las iglesias ante la clase política, que amparado al TLC, pretende *imponer su modelo económico* (Art 25; 2005, May)
The “call” may be “vehement” – with strong rhetoric such as “The country is in danger!” and “For the defense of the country, NO to CAFTA-DR!” – but the instructions for execution, such as “raising the flag of dignity and respect for our sovereignty” are vague and left without a clear target.

¡LA PATRIA ESTA EN PELIGRO! Los firmantes de esta Proclama unimos voces en un llamado vehemente a todos los compatriotas a levantar la bandera de dignidad y respeto a nuestra soberanía. (Art. 44; 2005, September 14)

The weak call for citizen action marks a trend in the discourse to privilege institutional routes of resistance that continues through the last two phases.

Phase Three: After the 2006 Election (May 2006-March 2007)

During this, the third, phase of discourse, alarming patterns in terms of “auto-minimization” of the popular movement from below become apparent. While the previous phase carried an emphasis on discussion and dialogue, in addition to the institutional resolution of renegotiation, in this phase we see a more nuanced construction of legitimate spaces for resistance and routes to resolution. That is, the re-awakened “call” to “the streets” is tempered with a call to resist within institutional bounds, and the oppositions’ position is clarified as being “against CAFTA-DR” but NOT “against free trade.” This creates a somewhat complex framing during this phase, which includes a far broader contextual construction of CAFTA-DR (as part of a larger neoliberal project), along with the emergence of a more powerful, overarching explanatory package – the “selling” CAFTA-DR. These tendencies illustrate the ways in which the institutional rhetoric from above, and the popular rhetoric from below, are played out and adapted by the oppositional discourse to delineate the “precarious middle” position.
Más que TLC (More than CAFTA-DR)

During this phase, the opposition broadened its discourse to suggest that what is at issue is “more than CAFTA-DR” – connecting the agreement to the larger neoliberal project, and the resistance to a larger movement against neoliberalism. For instance, CAFTA-DR is constructed as “another attempt” of “global corporate capital” to consolidate its global control, “after the failures” of free trade at Seattle (1999), Doha (2001), Cancún (2003), and the WTO General Assembly (2004).

Suggesting solidarity, the discourse points out that resistance in “other countries,” such as Ecuador, has carried out “intense” “campaigns” against the “FTAA” (ALCA). The discourse also points out that CAFTA-DR would effect Costa Rica’s ability to participate in that broader “anti-neoliberal” movement, considering that, as part of the CAFTA-DR process, Costa Rica “was obligated” to “renounce” the “Group of 20” developing nations that tried to force the United States and Europe to “eliminate” their “agricultural subsidies” at the September 2003, Doha Round trade talks in Cancun.


Al igual que en otros países, en Ecuador las campañas contra el ALCA, desde el año 2000, y las campañas contra el TLC, desde mediados del 2004, fueron intensas. (Art. 46; 2006, June 17)

Porque, en la misma línea, Costa Rica fue obligada a renunciar al Grupo de los Veinte que intentaba eliminar los subsidios agrícolas en EEUU y Europa. (Art. 47; nd)

Along these lines, connections with other Costa Rican struggles against neoliberal policy are made. That is, the 2000 citizen uprising against the “Combo”
law that would have privatized the electricity and telecommunications industry is leveraged as evidence that citizen participation is a legitimate and successful means for democracy. What can be “learned” from the Combo movement is that citizen action in “the street” is not simply an adequate means “to fight” against “illegitimate acts,” but rather the “most democratic means” for the struggle against neoliberalism. The discourse draws similarities between the Combo and CAFTA-DR. When previous administrations had come out on the side of “strengthening” the ICE, but then “ventured” towards “opening the industry” – as the opposition suggests the current administration is doing – the discourse reminds us that “we already know the result of that decision” – it was, of course, derailed by popular protest.

Allí fue donde mucha gente aprendió que la calle puede ser un medio de lucha para detener actos ilegítimos. El “Combo” enseñó que calle y protesta no son palabras sinónimas de subversión, y que en ocasiones, por el contrario, recurrir a ellas pueden la forma más democrática de detenerla. (Art. 48; nd)

el gobierno de Miguel Ángel Rodríguez avanzó en esa misma dirección, es decir, se dejó de lado el fortalecimiento del ICE y se aventuró en el pantano del “combo energético” aperturista. Ya conocemos el resultado de esa decisión. (Art. 49; nd)

While the Combo law failed, CAFTA-DR creates a “new opening” for “not only” the privatization of ICE but also other state owned industries, such as insurance (INS). This “second chance” is emphasized by the discourse, which not only refers to CAFTA-DR as “Combo #2” and/or a “second version” of Combo, but also maintains that President Arias will “arrive again” at the presidency in order to “finish the job” that the ‘pro Combo’ groups “were not able to do” in 2000. At the very least, the discourse leaves a strong sense that “privatization/opening” of telecommunications (ICE) and insurance (INS) are “star projects” of CAFTA-DR.
Con el TLC abrieron de nuevo el portillo de la privatización, no ya sólo del ICE, sino también del INS. (Art. 50; 2006, June 26)

Preparan el "Combo No. 2"... se trata de una segunda versión del combo (Art. 49; nd)

presidente Arias Sánchez llegara de nuevo a la Casa Presidencial, para concluir el trabajo que no pudieron hacer los grupos pro “Combo” en el 2000. (Art 48; nd).

tratado de “libre” comercio (TLC), y sus proyectos “estrella”: la privatización-apertura de telecomunicaciones y de los seguros (Art. 51; 2006, July 27)

The inclusion of ICE in CAFTA-DR is itself constructed as a breach against Costa Rican society, which strengthens the “us versus them” frame seen throughout the oppositional discourse. According to the discourse, through the Combo movement, Costa Rica has already had “our great plebiscite” in “the streets,” where the people “said no” to the opening. Now, the Administration “returns to use” the Legislative Assembly in order to “impose” “a change” that the Costa Rican people “did not approve.”

Ya tuvimos nuestro gran plebiscito virtual, espontáneo y callejero, que dijo no a la apertura súbita, no planificada ni gradual y desmanteladora del ICE.

Se vuelve a utilizar a la Asamblea Legislativa para imponer por la vía de la legislación un cambio que los costarricenses no aprobamos. (Art. 52; nd)

This illustrates how the oppositional discourse borrows from the rhetoric of the left, which emphasizes the role of citizen participation in resisting neoliberal free trade and globalization (See: Klein, 2003). Here, direct action in the streets is legitimized as appropriate and successful. However, at other points in the discourse, the opposition suggests that participation can and should be framed more institutionally, through voting in the referendum. Through the balancing of more “radical” street action and the more “institutional” electoral process of the
referendum, the discourse clearly indicates a muted, middle position that is in line with broader strategies on the Left that call for reform within the system.

But still, the opposition critiques the system it resolves to work within. For instance, the oppositional discourse, in regards to the ICE issue, attacks as disengenous the way the government talks about the ICE issue. Rather than using the term “privatization,” the administration adopts the softer term “opening,” and then insists – “opening is not privatization” (Art. 53; 2006, June 17). The term, “apertura,” is picked up by the discourse generally, and normalized through use by La Nación. The opposition discourse struggles against this hegemony, pointing out, how Arias – a “promoter of privatization” – “speaks of” an “opening” rather than using the “correct term,” privatization. In addition to such blunt accusations, the discourse also tries to highlight the word play, by qualifying the term with quotation marks (“apertura”) and using connector terms such as “privatization or ‘neo-opening’” (privatización o “neoapertura”), “privatization with a mask” (privatización con antifaz), and “opening-privatization” (apertura-privatización).

Hoy, el presidente Oscar Arias, promotor de privatización de instituciones, habla de lo que se va a dar es una “apertura”. Utilizan este término para no utilizar el término correcto: privatización, que tanta desigualdad y pobreza ha traído donde se han implementado en América Latina (Art. 50; 2006, June 26)

Esta “apertura” es la que se quiere para las telecomunicaciones, según lo que, tan democráticamente, se decidió con al TLC (Art. 53; 2006, June 17)

una eventual privatización o “neoapertura” (Art. 54; 2006, December 1)

la “apertura” (o sea la privatización con antifaz) (Art. 55; 2007, February 20)

Ese puesto lo ocupan las corporaciones transnacionales y en función de las ganancias de éstas se nos impone la apertura-privatización de las telecomunicaciones (Art. 55; 2007, February 20)
La \textit{apertura-privatización} de las telecomunicaciones crean las condiciones que a futuro destruirán el exitoso modelo solidario del ICE. (Art. 56; 2007, February 20)

Que \textit{la apertura} de los servicios públicos producirá competencia y ésta bajará los precios, cuando en toda Latino América lo único cierto es que han aumentado hasta en un 500\% cuando se privatizaron, en relación con los nuestros. (Art. 57; 2006, May 24)

Ya la oligarquía costarricense y sus intelectuales neoliberales intentó imponer a los costarricenses \textit{la apertura} súbita, forzada y total del ICE. (Art. 52; nd)

El grave retroceso o desaparición del estado solidario, por \textit{la apertura} de las telecomunicaciones y los seguros (Art. 58; nd)

The crafty wordplay on the part of CAFTA-DR proponents is significant, as it disconnects the critique of CAFTA-DR from other regional and global movements against privatization – movements that are clearly class-based struggles against neoliberalism. If the effect of CAFTA-DR in Costa Rica is an “opening,” rather than a “privatization,” the target for resistance is obscured, and the potential solidarity with other movements and struggles is squashed. For the most part, however, the opposition does little to point out this solidarity breaking strategy of the pro-CAFTA-DR discourse, and instead it largely adopts the term \textit{apertura} in its’ own discourse, as seen in the quotes above. Regardless of term, however, the ICE issue was discursively constructed as the “selling” of Costa Rica. This discursive trope was used by the opposition to indicate both the government’s selling out national resources and the people to foreign interests, and also the government’s selling the Costa Rican people on the idea of CAFTA-DR. These patterns of rhetoric – selling out and selling in – are discussed in the following section.
Vender (Selling “out” & Selling “in”)

Arguments against the government’s tactics, which had been growing over the first two phases of discourse, solidify at this point to express a broader explanatory frame – the “selling” of CAFTA-DR by the government. The frame emerges not only in terms of the “selling” of national resources to big, foreign capital, but also in terms of the tactics used by the government (and big capital) to sell the idea of CAFTA-DR to the Costa Rican people. The point of distinction is one of selling “out” to capital interests versus selling “in” to Costa Ricans the idea that their interests are served through CAFTA-DR.

In selling “out” to capital interests, we see that “government signatories” of these types of treaties are “recognized” as anti-democratic, and “sellers” of “national and regional interests.” As expressed in earlier phases of the discourse, “these treaties” “have privileged finance capital” and “guaranteed the profitability” of big industry, while “harming” rights and “national interests” and submitting “our people” to “dependency.” In line with a critique cogently expressed by Kumar (2008), here, the oppositional discourse suggests that in Costa Rica, popular interest has, “misleadingly,” been made to be synonymous with capital interest. That is, “what is good for transnational capital is good for Costa Rica” and its working people.

Los gobiernos firmantes de estos tratados son reconocidos como antidemocráticos y vendedores de los intereses nacionales y regionales. (Art. 59; nd)

Han privilegiado el capital financiero, sobre el capital humano y sometido a sus pueblos a la dependencia. (Art. 60; nd)
la esencia de estos tratados es garantizar la rentabilidad de las grandes transnacionales, en perjuicio de los derechos e intereses nacionales. (Art. 46; 2006, July 17)

tal es el “interés nacional” con lo que tan solo refrenda la densa bruma ideológica en que está extraviada: a su parecer –terrible equivoco– lo que es bueno para el capital transnacional lo es también para Costa Rica y su gente trabajadora. (Art. 61; 2006, June 24)

Exposing Media Manipulation – “un cerco informativo”

The selling “in” of CAFTA-DR to the Costa Rican people inspired a variety of tactics from the pro-CAFTA-DR camp. Largely noted and criticized by the opposition was the use of the complicit mainstream media to push the idea of CAFTA-DR through to the public. The manipulation of the press by “pro” CAFTA-DR actors – especially Arias’ government – was a flash point issue for the opposition generally, and a feature of the oppositional discourse included on ANEP’s website specifically. For instance, the opposition reports a meeting between Arias and the directors of the principal media of the nation in order to coordinate and unify the lines of information about the national protests against CAFTA-DR that occurred on October 23rd and 24th. Through this meeting, “it is clear that he planned an ‘information circuit’” that served to “intimidate” the population in the days before the social mobilizations, by suggesting that the organizations were “violent and subversive,” while at the same time reducing the movement to “a union protest.”

está claro que se planificó un “cerco informativo” que consistió en intimidar a la población durante los días previos a las movilizaciones sociales, atribuyéndole propósitos violentos y subversivos a los organizadores, al mismo tiempo que se reducía la convocatoria a “una protesta sindical”. (Art. 62; nd)

77 Protesters regularly criticized the links between the government and the mainstream newspaper La Nación in their banners, etc. This criticism coalesced in the labeling of the government & La Nación as “los hermanos Arias.
The mainstream press is constructed as a co-conspirator to the capitalist interests that push for CAFTA-DR. It “serves big economic interests” and acts “totally irrespective” of the principles of free expression and pluralism. The “power of money” is recognized, and criticized as “making a joke” of the “will of the people.”

According to the opposition, money generates propaganda, which serves to manipulate the CAFTA-DR debate, always in favor of the “pro” CAFTA-DR position. The opposition critiques the “intense” “million dollar” publicity campaign of the “pro” CAFTA-DR camp as paid for by “big pharmaceutical corporations,” and other “defenders” of the agreement, such as the “ex-government officials” who had united to form the “Group for Costa Rica” (Grupo Por Costa Rica). In only four months, the opposition points out, Grupo Por Costa Rica “spent almost 400,000 dollars” (gastó casi 400 mil dólares) in press, radio, and TV campaigns.

la prensa es por completo servil a los grandes intereses económicos y totalmente irrespetuosa con los más elementales principios de libertad de expresión y pluralismo. (Art. 63; 2007, January 21)

Lo cierto es que el poder del dinero –a través de la gran maquinaria mediática y de marketing– se afana por burlar la voluntad popular al convertirla en blanco de la manipulación y engaño. (Art 64; 2006, September 16)

La única defensa que este admite es la que han venido aplicando: la fuerza del dinero, de la propaganda, de la manipulación. (Art. 61; 2006, June 24)

Hoy los ex funcionarios del Ministerio y empresarios que negociaron el Tratado, se aglutan alrededor del “Grupo Por Costa Rica”, que solo entre abril y julio del 2005 gastó casi 400 mil dólares en campañas en Prensa, Radio y TV, para convencer a los costarricenses de los beneficios del Tratado (Art. 57; 2006, May 24)

la intensa campaña publicitaria hecha a favor del TLC, y pagada por las grandes corporaciones farmacéuticas ha sido mentirosa y manipuladora. (Art 47; nd)
Hubo una *millonaria campaña* paralela favorable al acuerdo comercial, en la cual aparecían en pantalla incluso las mismas figuras que salían en la campaña de uno de los partidos. (Art. 65; 2006; October 17)

Lo cual impulsa una *millonaria campaña* que pregoná las bondades del tratado y acalla las voces divergentes…. despliega una millonaria campaña basada en cortos publicitarios intimidatorios y vacíos de contenido (Art. 66; nd)

*Los defensores* del TLC no deben insistir en *multimillonarias campañas* publicitarias al mejor estilo de las cansadas campañas políticas, superficiales y que ocultan lo verdadero e importante. (Art. 67; nd)

In short, the tactics of the government and pro-CAFTA-DR actors are presented as shady at best. Instead of engaging in “respectful dialogue” and “systematic debate,” the president instead looks to “impose his will” by accelerating the “legislative movement,” conducting a “costly publicity campaign” and soliciting outside actors like the Pope and Chilean President Michele Bachelet to “come instruct” Costa Rica about the “virtues” of CAFTA-DR.

Sin embargo, lejos de tratar de disuadir con argumentos sólidos, *diálogo respetuoso y debate sistemático*, el Presidente busca *imponer su voluntad* acelerando los *trámites legislativos*, promoviendo el lanzamiento de una *costosa campaña publicitaria* y solicitando al Papa y a la Presidenta de Chile que *vengan a instruirnos sobre las virtudes* del Tratado con Estados Unidos.

The continued criticism of the “yes” campaign will play a vital role in the discourse of the next and final phase and will be discussed in additional detail then.

*Solución Tica (A Costa Rican Solution)*

The criticism of these tactics goes on to reiterate a key theme of the opposition’s discourse throughout all phases thus far – delineating legitimate and illegitimate actors and activities in relation to CAFTA-DR. In critiquing these tactics, and drawing into focus the connections between the Costa Rican government, transnational capital, and the press, the discourse maintains that the resolution of
CAFTA-DR should be a Costa Rican ("tica") solution (Art. 68; 2007, January 23) and that such a solution can only be reached through a “discussion between Costa Ricans” (Art. 69; 2006, August 15). The government is constructed as being out of touch, and not recognizing the “signs of the times” – that if it continues to impose the “annexation treaty,” “democracy in the street” and “social and political polarization” will prevail.

si el gobierno no interpreta con claridad los signos de los tiempos y, pese a las evidencias persiste en imponer el tratado anexionista, prevalecerá la democracia de la calle y la polarización social y política (Art. 66; nd)

The institutional process of CAFTA-DR is framed as failing the Costa Rican people. The legislators, who are charged with “defending” the rights of the people have “given in to pressures” and “accepted the unacceptable.” “Without access” to the “press” and “excluded from the democratic debate,” Costa Rican’s are, according to the opposition, “a people” with “the vote, but not a voice.” If “freedom constricts,” if “diversity asphyxiates,” if the “press is monotone” – “democracy weakens” and “citizenship overflows” into the street. Thus, “citizen action” or “protest” is framed as the “only” “legitimate” mechanism for “real democratic participation.” It is through this line of reasoning that the strongest reflection of the popular discourse from below can be seen in the oppositional discourse of CAFTA-DR.

Los legisladores tienen que tener conciencia y valores para defender esos derechos y no claudicar frente a las presiones y aceptar lo inaceptable. El pueblo les reclamará por sus actos. (Art. 60; nd)

Sin acceso a la prensa, con muy escasos espacios para el debate público y con una fracción parlamentaria “arista” que ha limitado la discusión del TLC en la comisión que lo estudia para dictaminarlo, los sectores sociales han respondido con la llamada "democracia de la calle". (Art. 66; nd)
Potencian la resistencia cívica y legitiman poderosamente el Referéndum de la Calle, para enfrentar tanta prepotencia y exclusión en el debate democrático. (Art. 70; 2006, December 6)

Un pueblo con voto pero sin voz (Art. 65; 2006, October 17)

Si la libertad se constriñe, si la diversidad se asfixia, si la prensa es monocorde, si la propiedad de los medios se concentra, la democracia se debilita y la ciudadanía se desborda a calles, parques y plazas. (Art. 65; 2006, October 17)

Se legitima así, poderosamente, el concepto del Referéndum de la Calle, como el único mecanismo de real participación democrática de autodefensa civil, en aras de la lucha por la preservación del mejor patrimonio de la institucionalidad democrática que nos fue heredado. (Art. 70; 2006, December 6)

As illustrated, the government is constructed as ineffective and somewhat illegitimate, while the Costa Rican people are afforded the highest level of legitimacy in terms of interests and the resolution of CAFTA-DR. According to the opposition, the “Costa Rican people” are the “true owners” of the ICE, and would thus be robbed of their “legitimate control” by the “opening” or “privatization” called for by CAFTA-DR.

pues tenemos un interés legítimo y directo dentro de la actividad aseguradora en el país (Art. 71; 2006, October 9)

La "apertura" tiene naturaleza de despojo, y actúan los que así la promueven en forma desleal con los verdaderos dueños del ICE, el pueblo costarricense. (Art. 50; 2006, June 26)

La privatización, añadió, puede ser considerada una estafa perpetrada para despojar a la sociedad de su legítimo control sobre un servicio público esencial. (Art. 72; nd)

Thus, as legitimate actors, with legitimate interests, the Costa Rican people are afforded a legitimate role, in a legitimate space for resistance to CAFTA-DR, by the oppositional discourse. As illustrated above, the oppositional discourse emphasized the legitimacy of the popular movement in the streets, framing it as necessary, given
the inadequacy of the institutional process of CAFTA-DR delineated by the formal
government. Despite this construction, however, the oppositional discourse does
not completely discount institutional spaces for resistance to CAFTA-DR. That is, it
suggests that CAFTA-DR can only "be defeated" with a "growing resistance" both
"inside" parliament and "outside" parliament. "The parliament and the street" – "all
are spaces for the fight."

Hoy como ayer esa maniobra puede ser derrotada con crecida resistencia en el
parlamento y fuera del parlamento" (Art. 73; 2006, October 31)

Pero, además, esto conlleva tener presente que la lucha que se plantea exige
tratar de no dejar espacios vacíos: el parlamento y la calle; el ámbito nacional y el
internacional; los mecanismos de la formalidad instituida y los de la creatividad
civil y la informalidad popular. Todos son espacios de lucha... (Art. 63; 2007,
January 21)

In carving out these "spaces of resistance" an apologetic undercurrent in the
oppositional discourse grows more audible, that is indicative of the "precarious
middle" position. While there is no doubt that ANEP and the opposition it gives
voice to is opposed to CAFTA-DR, there is also little doubt that the opposition
believes that Costa Rica "needs a trade agreement" with "our principal market." In
fact, the discourse reminds us "not to confuse" CAFTA-DR "with free trade" as free
trade, in theory, is supported, while CAFTA-DR specifically, is opposed because
there is "evidence that the only losers will be Costa Ricans."

Costa Rica necesita un acuerdo comercial con nuestro principal mercado.
(Art. 65; nd)

No debe confundirse el TLC con el libre comercio; estoy de acuerdo con el libre
comercio pero no con lo que viene oculto en el TLC. (Art. 74; nd)

apoyamos el libre comercio de manera clara y entusiasta, pero el TLC tal como está
concebido no puede ser aprobado. (Art. 75; nd)
No estamos contra el libre comercio, pero si estamos contra este tratado, el cual, cada día que se estudia más, evidencia que los únicos perdedores seremos los costarricenses (Art. 76; nd)

To be clear, the opposition “is not against” “progress and development,” “market opening,” or trade treaties that “bring new firms” into the market – all key terms sourced from the broader neoliberal discourse from above. In fact, it is even “in agreement” with a “slow and well planned opening” of the ICE as a means to “develop the capacity” to compete in the “open market.” “No one,” according to opposition discourse, “opposes trade.”

De estos Documentos se deriva claramente que no estamos en contra del progreso y desarrollo del país, ni contra la apertura comercial, ni contra Tratados de comercio que incentiven la llegada de nuevas firmas. (Art. 77; nd)

Sí queremos su modernización administrativa y financiera, su desarrollo técnico y el fortalecimiento de su regulación, y estamos de acuerdo con una apertura paulatina y bien planeada para que el ICE pueda desarrollar la capacidad de competir en el mercado abierto. (Art. 74; nd)

Nadie se opone al comercio, nos oponemos a las formas injustas de comercio o las pretensiones de hacerse dueño de cosas que no tienen nada que ver con el comercio. (Art 78; nd)

Phase Four: Institutionalization of the Movement (April 2007-October 2007)

In closing out the discourse on CAFTA-DR, the opposition presented arguments and provided “reasons why” the Costa Rican people should vote “NO” on the referendum and defeat CAFTA-DR. Yet still, ample attention was paid to the “process” of the referendum through heavy coverage of the “campaigns” – specifically, critique of the “Yes” (Sí) campaign. As in the previous two phases, the opposition continues to send mixed messages as per the spaces for, and types of resistance to CAFTA-DR. Institutional actors such as the TSE, the SALA, and the Legislative Assembly are constructed as ineffective, corrupt, and hijacked by the
“crooked” interests of the Arias government and transnationals. Yet at the same time, the opposition largely appeals to these institutional actors as having legitimate power to resolve issues related to CAFTA-DR. Still, the opposition seems to make clear its “multiple fronts” of resistance, calling for a “balance” between popular movements in the street, the efforts of organized labor, and resistance political parties such as the Citizens Action Party (PAC), Broad Front Party (Frente Amplio) and the Party Without Exclusion (PASE) operating within the institutional government. In the end, the discourse frames the loss of the referendum as not a failure, but rather a birth of a movement – suggesting that a much larger project against neoliberalism is “what’s next” for the opposition.

**Reasons Why**

The discourse provided many “reasons why” the agreement should be rejected by a “no” vote on the referendum. These reasons include arguments that CAFTA-DR would increase the cost of living, violate Costa Rican ethics, destroy state institutions like the ICE, Caja, and Insurance concerns, and recreate in Costa Rica the bad experiences other Central American countries, along with Mexico, have had with U.S. style, neoliberal free trade agreements. These “reasons” are discussed more thoroughly in the sections, which follow.

*Subirá el costo de la vida (Raising the cost of living)*

According to the oppositional discourse, CAFTA-DR should be rejected because it will increase the cost of living for Costa Ricans, through increased prices of medicines, food, and water. The “generic drug industry,” for instance, will “face difficulties,” “affecting” the ability of “Social Security” (*La Caja*) and the “most
vulnerable sectors of the population,” “to buy” “cheaper” generic drugs. As a result, La Caja would be forced to buy more expensive, “branded” medicines, thus causing the Caja to “invest more” in the purchase of drugs, rendering it “unable to continue” to provide “universal coverage.”

“Las mujeres estamos en contra del tlc porque subirá el costo de la vida”  
(Art. 79; nd)

La industria de medicamentos genéricos enfrenta dificultades por efectos del TLC  
(Art. 80; 2007, July 26)

“La Caja va a tener que invertir cada vez más en la compra de medicamentos  
(Art. 81; nd)

con la entrada en vigencia de las reglas que establece el Tratado de Libre Comercio, la Caja Costarricense de Seguro Social no va a poder continuar con la cobertura universal. (Art. 82; nd)

el TLC afectará la compra de medicamentos genéricos, más baratos que los productos médicos de marca, causándole serias afectaciones a los sectores más vulnerables de la población.(Art. 79; nd)

In addition to the increased costs of healthcare, “the price” of “rice and beans” will also “increase” as would the price of, and access to, water. CAFTA-DR “threatens” the “water” of Costa Rica. Under the agreement, “bottled water” would stop being a “human right” and instead be “converted into a commodity” “more valuable” than oil. The opposition is clear – “without a doubt,” the only way to “defend the water” and assure that it “continues being regulated” as a “public good” is to “say No to CAFTA-DR.”

si pasa el TLC, tarde o temprano, el precio del arroz y los frijoles aumentarán.  
(Art. 81; nd)

En nuestro caso está de por medio el precio del agua, la luz, el teléfono y como decía, el seguro social. (Art. 79; nd)

El TLC si amenaza el agua de Costa Rica (Art. 83; nd)
El agua envasada deja de ser un derecho humano para convertirse en “una mercancía” más valiosa que el petróleo (Art. 84; 2007, August 2)

No cabe duda, para defender el agua y asegurar que se sigaregulando como un bien público al servicio de las necesidades del pueblo costarricense, es urgente decir NO al TLC. (Art. 83; nd)

Un acto inmoral y no ético (An immoral and unethical act)

The distinction between a “public good” and private profits as seen in the “water” issue discussed above, highlights the ethical components of the anti-CAFTA-DR argument. The most pliable ethics frame – that CAFTA-DR should be rejected because it privileges foreign interests over national interests – operates through a variety of more tangible “issues,” such as the price of medicine, the privatization of ICE, in addition to the livelihood of small farmers, producers, workers, and the poor. The discourse constructs CAFTA-DR as “not benefitting or protecting,” “consumers or workers” – only “benefitting multinationals” with “cheap production costs” and lower tariffs. This ethical sentiment can be seen across the discourse and is therefore woven throughout the phases already discussed, but seems to culminate in this final phase into a more coherent and explicit criticism.

El fin del TLC no es el beneficio o protección de la sociedad ni de los consumidores o trabajadores, sino del mercado, o sea, el objetivo es producir barato en beneficio de las compañías multinacionales (Art. 85; 2007, May 21)

Costa Rica would lose sovereignty in terms of laws and regulations, as CAFTA-DR would give multinationals the “privilege of choosing whose law” applies to its business in Costa Rica, Costa Rica’s or its own, thus reducing Costa Rican law to a “secondary role” in its own country. These multinationals, or foreign businesses, would also be given the power to force Costa Rica into “obligatory arbitration” over
issues of natural resources and activities controlled by national authorities, thus “granting additional privileges” to foreign investors.

*el privilegio de escoger su propia ley* para que los rija en Costa Rica, la propia u otra, o la pactada en el propio acuerdo o autorización de inversión, por encima de la legislación costarricense, que queda *reducida al papel de segundona* en su propio país (Art. 85; 2007, May 21)

Esta situación es una prueba más de lo que le pasaría a Costa Rica si se aprueba el TLC con Estados Unidos: Las demandas contra el país aumentarían aún más, pues este tratado amplía los casos que pueden someterse a *arbitrajes obligatorios*, incluyendo los relacionados con 'recursos naturales y activos controlados por las autoridades nacionales' y *otorga privilegios adicionales* a los inversionistas extranjeros (Art. 86; nd)

“National treatment,” which means that “whatever help” the Costa Rican government gives to “small Costa Rican businesses” must “also benefit” the “large U.S. businesses” that come to do business in Costa Rica. This flies in the face of Rawls’ theory of distributive justice, specifically the “difference principle,” which holds that the least advantaged nation should benefit most (Hermann, Tetlock, & Diascro, 2001, p. 197) from treaties entered into with more developed nations.

*el “trato nacional”* que el TLC impone, obliga a que *cualquier ayuda* a favor de estas *empresitas costarricenses* deba beneficiar también a cualquier *gran empresa estadounidense* que venga a Costa Rica. (Art. 87; nd)

While foreign multinationals see these benefits of CAFTA-DR, Costa Rica will see “fiscal tax” revenues from tariffs “fall to the floor,” dropping by some 2.4%, and workers, at best, “lose” their “labor rights,” at worst, lose their jobs as “productive sectors disappear” and “jobs are eliminated.” Thus, the opposition frames the Costa Rican “pueblo” as subsidizing the profits of foreign multinationals, further exacerbating Costa Rican notions of fairness and justice.

Con TLC los *ingresos fiscales* de Costa Rica se *van al suelo*; Costa Rica enfrentaría una baja en ingresos fiscales de un 2,4% del PIB. (Art. 88; nd)
con el TLC el país pierde, y mucho, en materia de derecho laboral (Art. 89; nd)

TLC va a eliminar más empleos de los que creará... Los notables explicaron que desaparecerían sectores productivos. (Art. 90; nd)

Another, more straightforward connection of CAFTA-DR with ethical concerns, comes in the “trade of human materials.” The opposition also warns that “if CAFTA-DR is approved” “human materials,” such as “bones” and “organs” could be sold in the North American market – a trade that is not only considered “an immoral act” and “unethical” by Costa Rica, but also illegal. That is, Costa Rican “law” echoes the ethical “philosophy” of the Spanish Episcopal Church, and “prohibits the sale” of “organs,” punishing its infraction with “up to 10 years in jail.”

Nuestra actual legislación se hace eco, pragmáticamente, de esa filosofía al prohibir la comercialización de órganos, penalizando su infracción con prisión de hasta diez años (arts 5 y 23 de la “Ley de autorización para trasplantar órganos y materiales anatómicos humanos”, n° 7409, publicada en La Gaceta No. 102 de 17 de mayo de 1994). (Art. 91; 2007, July 31)

Desmembrar al ICE (Dismembering the ICE)

Another strong “reason why” Costa Ricans should vote “no” on the referendum was that CAFTA-DR would wreck havoc on the social state model – a sentiment also expressed through the “increasing cost of living” and “ethics” frame discussed above. The opposition specifically focuses on the mandatory “privatization” or “opening” of ICE, the nation’s electricity and telecommunications concern. Referred to as the “destruction” or “dismemberment” of ICE, the “opening”
is constructed as a “blow to state solidarity” that “gives the market to transnationals” while 25% of “Costa Ricans” “would not be able to pay” their phone bills.

Con el TLC y en el marco de la agenda complementaria se pretende desmembrar al ICE para darle paso a lo que solapadamente han llamado apertura y que no es más que privatización. (Art. 93; nd)

Dictaminan apertura y destrucción del ICE... Golpe al Estado Solidario. Entregan mercado a transnacionales. (Art. 94; nd)

Si se aprueba el TLC 25% de los ticos no podrán pagar el teléfono (Art. 95; 2007, May 7)

Perhaps more importantly, however, the opposition is quick to point out that “the people” have already ruled on the ICE issue in 2000, when an unprecedented social movement forced President Rodriguez to retire the legislation that would privatize ICE – known as “Combo-ICE” – from the legislature. As seen in the previous phase of discourse, CAFTA-DR was constructed as a second chance to pass a privatization law. The “combo #2” referred to in the previous phase is here referred to as the “Megacombo” or “súper combo” to draw correlation between the two struggles, and the government’s unyielding desire to privatize the industry, regardless of the will of the people.

El tema es que cuando las personas conocen sobre el TLC se dan cuenta de la verdad e irremediablemente se ponen en contra del Megacombo TLC. (Art. 96; 2007, August 27)

Y así ciertamente lo estamos haciendo en este “Súper combo” llamado TLC, tal como nos lo están proponiendo. (Art. 97; 2007, July 24)

La "Agenda de Implementación" NO estaba incluida en el Referéndum del pasado 7 de octubre, por lo tanto es LEGITIMO luchar en contra de este nefasto "Mega COMBO". (Art. 98; nd)
No debemos imitar (We must not imitate)

A final trend in the “reasons why” Costa Rica should vote against CAFTA-DR was the experience of other countries that have already put the trade agreement into force. Speaking generally, “exports” from Honduras, Guatemala, and El Salvador to the United States, not only “didn’t increase” with CAFTA-DR, but also “decreased” by more than $160 million. More specifically, “non traditional exports” from Guatemala “instead of growing, diminished;” Honduran “exports” to the United States “dropped” 6.1% while “imports” from the United States “rose” by 40.9%; El Salvador has seen exports in the “maquila industries of assembly” “decrease” and its “rice producers” face “immediate collapse” under a CAFTA-DR that allows US producers to sell 68,000 tons of rice locally, “without tariff;” and the Dominican Republic and Nicaragua both report job loss – the former having “lost 50,000 jobs” in the textile sector and the latter losing 6,550 jobs of its own. On the other hand, Costa Rica, remaining “outside of CAFTA-DR” during the same time period, experienced export growth, making Costa Rica – “without using CAFTA” – both the “largest exporter” in Central America, and the Central American country with the “most export growth.” This argument flies in the face of La Nación’s framing, which argued the opposite – that CAFTA-DR had “improved” trade and investment in the current signatories, and that by remaining outside the agreement, Costa Rica was being left behind.

En Honduras, Guatemala y El Salvador las exportaciones hacia Estados Unidos no solo no aumentaron con el convenio, sino que disminuyeron en más de US$160 millones. (Art. 99; 2007, July 20)
Las exportaciones no tradicionales en Guatemala – objetivo del CAFTA- en lugar de crecer disminuyen. En Costa Rica – fuera del CAFTA- crece la exportación con productos y mercados nuevos, mientras se agota el modelo del CBI.... Costa Rica – sin usar el CAFTA- no es sólo el mayor exportador de América Central sino donde más crecen las exportaciones. (Art. 100; nd)

Honduras: Exportaciones a Estados Unidos bajaron 6.1% y las importaciones subieron 40.9% (Art. 101; nd)

Más bien veo que las exportaciones en las maquilas, industria de ensamblaje de la confección, en vez de crecer han disminuido (Art. 102; nd)

Los productores de arroz, por ejemplo, tendrán un desplome inmediato, debido a que el acuerdo permite a los productores estadounidenses vender ya sin pago de arancel unas 68 mil toneladas (Art. 103; nd)

Leonardo Valverde, representante de República Dominicana, denunció que en los últimos 18 meses el sector de prendas de vestir de este país ha perdido 50 mil empleos. (Art. 102; nd)

Con TLC: 6,550 trabajadores y trabajadoras perdieron su empleo en Nicaragua (Art. 104; nd)

Mexico and its experience with NAFTA is also held up as a “reason why” Costa Rica should reject CAFTA-DR. Costa Rica “shouldn’t imitate” a country like Mexico, where there is an almost obscene problem of “wealth concentration” – “50 multimillionaire families” exist alongside “50 million poor people.” NAFTA has “sunk” Mexico into “misery,” with “tortilla prices” “quadrupling,” “provoking riots” and ultimately earning Mexico the title of “worst” “economy” in Latin America.

No debemos imitar a un país como México... existen 50 familias multimillonarias, encabezadas por Slim, pero 50 millones de personas pobres. Concentración de la riqueza se llama esa figura. (Art. 105; nd)

TLC: México se hunde en la miseria la Cepal ubica a la economía mexicana como la peor en América Latina en cuanto perspectiva de crecimiento en el presente año (3.2 por ciento), a grado tal que de 19 países latinoamericanos considerados en su Estudio económico 2006-2007, México orgulosamente ocupa la posición 19. (Art. 106; 2007, July 28)
El precio de tortillas se cuadruplicó en México, provocando motines en la nación azteca. Cabe recordar que la dependencia sobre el maíz importado de los EEUU creció con la implementación del NAFTA. (Art. 107; nd)

Given that much of the argument “for” and “against” CAFTA-DR is framed within the negative context of discrediting the opposing position, the current frame of “reasons why” is somewhat reflected in the next frame – “the campaigns” – which emphasize the tactics and strategies employed by both sides in their attempts to elevate their position to dominance.

**The Campaigns**

Despite providing arguments to “convince” Costa Ricans to vote “NO” on the referendum and reject CAFTA-DR, the opposition still dedicated a large part of the discourse to the “process” of the referendum, including the tactics of the campaigns for both the “yes” and “no” positions. The “no” position was framed as being based in arguments, as illustrated in the frames discussed above, and making “calls” to both institutional bodies and the popular movement to act in resolving CAFTA-DR, which will be explored more thoroughly in the following, “Call to Action” frame.

This section reports the framing of the “yes” campaign, which was not only emphasized in the discourse, but also thoroughly discredited, on two interrelated fronts – funding and content.

**Multimillonaria campaña de la mentira (Multimillion dollar campaign of lies)**

Referred to as a “multimillion dollar” campaign of “lies,” “cheap propaganda,” and “media manipulation of the oligarchical press,” the “yes campaign” is roundly criticized as “trying to brainwash” the Costa Rican people. Given that he “who pays the musician, commands the dance” (quien paga la música, manda el baile), the
opposition is critical of both the amount of, and sources of funding for the “yes”
campaign.

la multimillonaria campaña de la mentira, de la propaganda barata y de la
manipulación mediática de la prensa oligárquica (Art. 108; 2007, May 4)

¿de donde viene el dinero que financia la millonaria propaganda de radio y
television a favor del TLC”? Sin mayor esfuerzo podemos deducir, que ese oscuro
dinero proviene de las empresas transnacionales, adoradoras del becerro de oro,
que serán las únicas beneficiadas del tratado junto con los mismos tagarotes de
siempre y como dice el refrán “quien paga la música, manda el baile”.
(Art. 109; nd)

The “yes” campaign is framed as having “unlimited financial capacity,” thanks to
heavy “funding” by “North American pharmaceutical companies,” “foreign powers,”
and “transnational corporations.” With these funds, the “yes” campaign “has spent
millions” on propaganda, investing “millions of dollars” to push CAFTA-DR and to
win “yes” votes for the referendum.

dos campañas paralelas, la de Oscar Arias (Sí Costa Rica) y la del grupo Por Costa
Rica (Sí al TLC), que parecían tener capacidad financiera ilimitada. (Art. 110; nd)

En este país hay la reserva moral y la capacidad para derrotar esta campaña tan
grande que montaron lo del “Sí”, patrocinada en su mayor parte por companies
farmacéuticas norteamericanas. (Art. 111; nd)

Hay grandes intereses detrás de la aprobación del TLC, empresas cuyos
presupuestos superan el PIB de Costa Rica, potencias extranjeras, corporaciones
transnacionales. Esto no es lo mismo, y han gastado millones en una propaganda
mentirosa y han pretendido hacer un lavado de cerebro a los costarricenses. (Art.
112; nd)

"Por Costa Rica" grupo empresarial a favor del TLC, han pasado más de 1600
millones de colones durante los últimos tres años en propaganda a favor del
tratado. Rossi fue nombrado Tesorero de la "campaña del Sí", que según datos del
Tribunal en las primeras 3 semanas, han invertido casi 200 millones de colones en
propaganda a favor del Sí. (Art. 113; nd)

En dos semanas de campaña ha invertido 71 millones de colones en propaganda en
medios de comunicación según datos del Tribunal Supremo de Elecciones.
(Art. 114; nd)
The contribution of Costa Rican capital to the pro-CAFTA-DR campaign is not investigated by the oppositional discourse. Instead, Costa Rican actors – such as the Arias administration, and the Group for Costa Rica – are constructed as operating as proxies for foreign capital that is footing the bill for the campaign. The opposition’s critique of the buying and selling of CAFTA-DR is not limited to Costa Rica, however.

The opposition points out similar conduct during the U.S. Congressional debate and passage of the legislation. According to the opposition, 30 legislators who were “initially opposed” to CAFTA-DR received upwards of $2.8 million in “contributions” from a group of 90 “transnational corporations,” resulting in all 30 legislators casting “supporting” votes for CAFTA-DR, and allowing the measure “to be passed” by “only two votes.” Back in Costa Rica, U.S. Ambassador, Mark Langdale, was widely criticized for openly supporting CAFTA-DR by “donating millions” through the “foundation CR-USA” “to pay” public servants, “including the Costa Rican negotiators” and fund propaganda “in favor” of the treaty.

While La Nación largely avoided the issue of funding and downplayed scandals such as those involving Mr. Langdale (discussed above) and Vice President Kevin Casas (See “the memorandum” discussed below), the oppositional discourse highlights conflicts of interest that lurk beneath the surface of the “yes” campaign.
Suggesting, once again, that all national actors are not authentic: some are autochthons hochons and others, allochthons (See: Ceuppens & Geschiere, 2005). The discourse points out the overlap between government employees, government funds, and the “yes” campaign that deem these actors inauthentic “allochthons.” For instance, the discourse points out how Alfredo Volio “left his position” as the Minister of Agriculture to formally lead the “yes” campaign. More specifically, the opposition is adamant that the “true” “boss of the ‘yes’ campaign” is none other than the “President of the Republic,” Oscar Arias himself; that the “Committee of the ‘Yes’ Campaign” is the “Presidential house;” and that “government functionaries” in alliance with “private industry,” are the “true activists” working for “yes” votes.

El movimiento del “Yes” está encabezado por el ministro de Agricultura de la administración Arias, Alfredo Volio Pérez, quién se separó del cargo para asumir "patrióticamente" la defensa del TLC (Art. 114; nd)

que el verdadero jefe del Sí es el Presidente, que el Comité de Campaña del Sí es la casa presidencial y que los funcionarios de gobierno, en alianza con un sector del empresariado privado, son sus verdaderos activistas. (Art. 117; 2007, September 7)

El memorando del vicepresidente Kevin Casas y del diputado Fernando Sánchez al Presidente de la República (¿o al Jefe del “sí”? ) Oscar Arias para activar la campaña en favor del TLC es desvergonzado. (Art. 118; nd)

el documento redactado por Kevin Casas y Fernando Sánchez certifica que el verdadero jefe del “Sí” es Óscar Arias y que el comité de campaña de esa tendencia es la propia Casa Presidencial. (Art. 119; nd)

Sectores opositores al TLC afirman que queda reconfirmado que el Presidente de la República es el “jefe del Sí”, la Casa Presidencial es empleada como comité de campaña y que los ministros, presidentes ejecutivos y otros son los activistas. (Art. 120; 2007, September 8)
Una campaña de miedo (A campaign of fear)

With Arias at the helm, the “yes” campaign is criticized as “eluding” any “serious and formal” debate of CAFTA-DR, by dedicating its campaign to “combating” Albino and other “union leaders.” The pro campaign is also accused of relying on “confusing attacks” against the governments of Venezuela and Cuba, that divert attention away from the real issues of CAFTA-DR. Similarly, the “yes” campaign is accused of relying heavily on “fear” appeals, threatening that if voters do not “vote ‘Yes’” they will be “unemployed.” This criticism of the “yes” campaign is laid bare and supported by the campaign itself, through the “memorandum” – mentioned in the quotes above – where Vice President Kevin Casas and Legislator Fernando Sánchez suggested to President Arias several strategies for the pro CAFTA-DR campaign. One strategy included was “stimulating fear” and the authors (Casas & Sánchez) outline four specific types of fear the campaign should capitalize on – “fear of lost jobs;” “fear of an attack on democratic institutions;” “fear of foreign interference in the No camp;” and “fear of the effect of a No vote on the government.”

Principalmente por parte de los del SI, que más que a favor del tratado parecen estar dedicados a combatir a Albino y demás líderes sindicales, y han llegado al hediondo extremo de ilustrar sus páginas con imágenes de Fidel Castro, Daniel Ortega y Hugo Chávez… los defensores del SI han venido eludiendo el debate serio y formal. (Art. 121; nd)

Ahora en las actividades donde participa Oscar Arias, junto a los folletos proselitistas de COMEX se distribuyen panfletos donde se confunden ataques contra los gobiernos de Venezuela y Cuba (Art 122; nd)

El Presidente de la República, Óscar Arias Sánchez, ha dicho en actividades públicas a los porteños que tienen que votar “Sí”, o que quedarán desempleadas. (Art. 123; nd)
Estimular el miedo de cuatro tipos: Miedo a la pérdida de empleo. Miedo al ataque a las instituciones democráticas. Miedo a la injerencia extranjera en el NO. Miedo al efecto de un triunfo del NO sobre el Gobierno. (Art. 117; 2007, September 7)

The memorandum was so offensive to the “adversaries” of CAFTA-DR that they referred to it as a “political conspiracy,” “unacceptable blackmail,” and “a blow to the core of institutional democracy.” In general, the “yes” campaign was referred to as a “campaign of fear” or “campaign of terror,” expressed through correlations to Adolph Hitler, Joseph Goebbels, and the Nazis.

“Conspiración política”, “chantaje inaceptable” y “golpe al alma de la institucionalidad democrática” fueron los calificativos empleados por los adversarios del Tratado de Libre Comercio entre Costa Rica y Estados Unidos (TLC) para el memorando (Art. 120; 2007, September 8)

Gobierno se coloca al margen de la Ley... Impulsa campaña de miedo, mentiras y burla de la legalidad democrática (Art. 124; nd)

la implementación de una campaña de miedo (Art. 125; 2007, October 8)

la campaña de miedo, mentiras y abusos que desde meses atrás veíamos implementarse frente a la mirada cómplice de las autoridades. (Art. 134; 2007, October 25)

Chisporroteos: La Campaña del miedo... Adolfo Hitler aborrecía a los comunistas. Oscar Arias aborrece a los comunistas. En consecuencia, Oscar Arias es nazi. (Art. 126; 2007, August 11)

La "campaña del miedo" desarrollada por el Gobierno, los empresarios y las transnacionales farmaceuticas de la muerte es, paso a paso, lo que planteaba Joseph Goebbels, autor de la propaganda fascista nazi, para dominar, engañar, intimidar, al pueblo alemán. Solo les hace falta las balas. (Art. 127; nd)

la descarada campaña del miedo y los recursos abundantes de la gente del SI (Art. 128; 2007, October 8)

varios elementos utilizados en la campaña del Sí, como la campaña del miedo. (Art. 129; nd)

se plantea una verdadera campaña de terror psicológico contra los representantes principales de la campaña del NO. (Art. 124; nd)
Igualmente queda claro en el documento el contubernio del gobierno con algunas cúpulas empresariales, para someter a los trabajadores a una verdadera campaña de terror desinformativo. (Art. 124; nd)

nuestro país y que más bien obedecen a la campaña de terror planificada por Kevin Casas y Fernando Sánchez. (Art. 130; nd)

These tactics had a chilling effect on the “no” campaign – surfacing later in the discourse to explain the results of the referendum. According to the opposition, the “no” camp did not lose – “fear won” while the “Costa Rican people lost,” albeit by a slim margin – “50,000 more victims of fear.” The “loss of jobs,” the “no renegotiation” of the treaty, the “injuries” to the institutional democracy, and the “growing” of a “radical left party” in the country were all part of “the fears instilled” by the “yes” campaign that, according to the opposition, impacted the final vote.

la "Alianza por el Sí”, formada por el régimen de los Arias y el complejo industrial-comunicacional debió recurrir al terrorismo de Estado, al chantaje y la corrupción para pasar el TLC. Fue el miedo el que prevaleció en la campaña de la "Alianza". (Art. 131; 2007, October 8)

A pesar de la ininteligible derrota electoral por 3 puntos porcentuales, unas 50 mil víctimas más del miedo… El pueblo perdió el miedo (Art. 128; 2007, October 8)

La pérdida de empleos, la no renegociación del TLC emitida por una funcionaria de segunda categoría de la Administración Bush, las lesiones a la institucionalidad democrática del país, el surgimiento de un partido de "izquierda radical" en el país, fueron parte de los miedos infundidos por la "Alianza" ante el posible triunfo del movimiento contra el TLC. (Art. 131; 2007, October 8)

The opposition's response to these dirty tactics, in addition to rhetoric, was NOT a strong call to “the streets” (las calles) but rather an appeal to institutional government bodies such as the TSE and the Sala IV to act on CAFTA-DR. The opposition broadens the spaces of resistance somewhat during this phase of discourse – suggesting that both institutional and popular routes must be followed to defeat CAFTA-DR. The following section discusses the construction of
institutional routes, while the subsequent section explores the synthesis of the two in the discourse.

**Calls to Action**

The discourse during this phase was somewhat contradictory when framing the institutional actors of, and routes to resistance to, CAFTA-DR – at once constructing institutional bodies as ineffective, yet at the same time appealing to them to act on, and resolve, the CAFTA-DR issue. From the onset, the referendum process – originally announced as a “citizen initiative” – was framed as being hijacked by the administration. After “refusing for almost a year” to consider the referendum option, the President chose to “accept” the referendum, but to “capitalize politically” by proceeding with an “executive decree” to “convene the consultation” – a move that would “produce” a referendum “as quickly as possible” and allow the administration to “fix the rules of the game.” The opposition strongly criticizes the TSE’s decision that “rejected” the referendum by “citizen initiative,” and “gave the green light” to the government to “execute” its’ “referendum express,” through “fast track,” a move seen largely as facilitating the “achievement of the Administration’s objective” – the approval of CAFTA-DR.

Resulta infausta, por su evidente oportunismo, la reacción del Presidente de la República frente al voto del TSE. Después de negarse por casi un año a considerar esta opción ahora acude, en forma reactiva y tratando de capitalizar políticamente lo que es un traspié en su estrategia, al procedimiento del decreto ejecutivo para convocar la consulta y tratar de fijar las reglas del juego. (Art. 132; 2007, April 20)

Ahora, cuando el Tribunal Supremo de Elecciones -con demora- recomienda al fin el Referéndum, los hermanos Arias lo aceptan pero se lanzan por el atajo de precipitar esa consulta directa al pueblo. Debe producirse lo más pronto posible. A tres meses plazo. (Art. 133; 2007, April 17)
los magistrados electorales rechazaron el referéndum por iniciativa ciudadana, dándole luz verde al Gobierno de la República para que ejecutara su “referéndum express”, por vía rápida, buscando facilitar su objetivo de lograr la aprobación del TLC a como dé lugar (Art. 108; 2007, May 4)

By allowing the executive power to participate as a primary actor in the process, the opposition claims that the TSE has “violated” “fundamental guarantees of suffrage, human rights, and the authority of the Constitutional Court” to rule on the constitutionality of CAFTA-DR. Similarly, the TSE is criticized as acting with “two faces,” at once “limiting the free expression” of the University of Costa Rica, while allowing the “use of public resources” in the “yes” campaign and “not intervening” in the Administration’s “maneuvers” to move the “implementation agenda” through the Legislative Assembly via the “fast track” process.

Las dos cara del TSE... Mientras limita la libre expresión de la Universidad de Costa Rica que está por el NO al TLC, se lava las manos en relación con el uso de recursos públicos en la campaña del sí (Art. 135; nd)

The critique of institutions continued even after the referendum, as the discourse tried to explain how/why the “no” campaign came up short. A large dose of blame was placed on the TSE, which, according to the discourse, oversaw a referendum based on a “fraudulent process.” The TSE was accused of “not guarding” the “neutrality” at any point of the process, allowing the government to
“invest” all of its “political and state funds” to “buy votes” through the “yes” campaign, while leaving the “social movemens” that are “in search of a political alternative,” “without financing.”

El Tribunal Supremo de Elecciones (TSE) no guardó la neutralidad en ningún momento del proceso, al admitir que el gobierno pudo invertir durante toda la campaña deuda política en el Si, dejando sin financiamiento a los movimientos sociales en busca de una política alternativa. (Art 137; nd)

Por el número de votos depositados en las urnas perdimos el referéndum, pero este es el resultado de un proceso fraudulento, donde Usted y su Gobierno utilizaron los bienes del Estado, que son de todos, para favorecer la compra de votos y conciencias. (Art. 138; 2007, October 16)

**El TSE debe actuar (The TSE must act)**

Despite such strong critique, the oppositional discourse also constructs these institutional actors as having the power, responsibility, and legitimacy to act on, and resolve issues related to CAFTA-DR. As such, the opposition calls on the TSE and the Sala to “guarantee” the “transparency” of the referendum by setting the rules of the “game” and penalizing campaign actors and activities that violate the democratic principles of the referendum. For instance, the opposition “asks” the TSE – who has the “law in its hand” to “do it” – to “act immediately” in regards to Ambassador Langdale’s behavior – call him to your “office” and “indicate” to him that he “stop, immediately” his “shameless intervention” in our internal affairs, especially in terms of CAFTA-DR. The TSE must also, according to the opposition, “act immediately” in regards to “accusations” that the “Yes Alliance” proposed that businesses offer to pay employees ¼ to ½ a day’s pay to “bring out the vote.”

El Tribuna Supremo de Elecciones (TSE), tiene la no menos histórica responsabilidad de garantizar, al máximo, condiciones de inobjetable contundente transparencia en el referéndum sobre el TLC (Art 139; 2007, July 11)
Sin duda el TSE tendrá que tomar decisiones que irán conformando el marco concreto de la democracia participativa costarricense. Es una gran responsabilidad. Esperamos que esas decisiones respondan no solo a la letra de la ley, sino también a su espíritu y a principios jurídicos fundamentales. (Art. 132; 2007, April 20)

solicitamos al Tribunal Supremo de Elecciones (TSE), actuar de inmediato, convocando a Mr. Langdale a su seno, para indicarle que detenga, inmediatamente, la descarada intervención de él en nuestros asuntos internos, especialmente en el tema del TLC... pues tiene la ley en la mano para hacerlo. (Art. 140; 2007, August 10)

el TSE debe actuar de inmediato remitiendo la denuncia del Diputado Alberto Salom ante el Ministerio Público, con el fin de que se abra una investigación, que derive en las acusaciones penales respectivas. Según la denuncia presentada ante el TSE, la Alianza del Sí propone a los empresarios ofrecer a sus empleados el pago de ¼ a ½ tiempo de la jornada laboral diaria, con el fin de asegurar “llevarlos a votar”. (Art. 141; nd)

Perhaps the strongest appeals to the TSE, Sala, and Legislative Assembly were made in relation to the “memorandum” written by Kevin Casas and Fernando Sánchez that confirmed the dirty tactics employed by the “yes” campaign, or, truly, the Arias Administration. While the opposition calls for “not only” the “Patriotic Movement of No” but also all “decent citizens who love the democracy of our country” to “relect” on these “desperate and anti-democratice actions,” it also calls for the TSE to “intervene very drastically” in the subject. The opposition “demands” that the TSE acts to “correct” what has happened and to “rescue the fairness and transparency” of the referendum process. Similarly, it demands that the “Legislative Assembly” “convene a special commission to investigate.”

Exige no solamente al Movimiento Patriótico del NO, sino a toda la ciudadanía decente y amante de la democracia de nuestro país, una reflexión serena y firme sobre estas acciones desesperadas y anti-democráticas, que atentan abiertamente contra la paz social en Costa Rica”... Igualmente agregó que es necesario que el TSE intervenga muy drásticamente en este asunto, “para evitar que se sigan promoviendo actuaciones al margen de la legalidad”. (Art. 113; nd)
El TSE debe actuar ante memorando de Vicepresidente Casas y diputado Sánchez; esperamos que el Tribunal Supremo de Elecciones tome las medidas necesarias para corregir lo actuado hasta ahora y para rescatar la equidad y la transparencia de este proceso. (Art 117; 2007, September 7)

El “NO” exige a TSE actuar ante memorando de Casas y Sánchez; Además los del “No” emplazaron al Tribunal Supremo de Elecciones (TSE) para que actúe de oficio ante la existencia en el memorando de una sugerencia para que se utilicen recursos públicos a fin de inclinar la balanza a favor del “Sí” durante el referendo del 7 de octubre. (Art. 119; nd)

Solicitamos a los diputados de la Asamblea Legislativa que integren una comisión especial para investigar el caso y que llamen a comparecer a Kevin Casas, a Fernando Sánchez y al presidente de la República, Óscar Arias, para que rindan cuentas (Art. 120; 2007, September 8)

Given this nuanced construction of institutional bodies, the spaces of resistance delineated by the discourse during this phase, are similarly nuanced. That is, earlier phases saw clearer emphasis on either institutional spaces (TSE/Sala IV/Legislative Assembly/las urnas) or popular spaces (las calles), while the current phase is somewhat more balanced, suggesting a synthesis of both routes of resistance.

*En la calle y en las urnas (In the street and at the ballot box)*

A defining factor of the discourse during this last phase, was the duality of “the call” (llamado) made by the opposition – to both institutional and popular routes of resistance. A strong appeal is made to resist CAFTA-DR both at “the ballot box” (las urnas) via the formal, institional referendum, and in “the street” (la calle) via the “referendum in the street.” The opposition both “supports the institutional referendum” and also emphasizes the “strategic use” of “citizen mobilization” in the streets – suggesting that the resistance movement must “not pause for even a minute” in its “organizational process” for either.
Pese a tanta desconfianza, apoyamos el referéndum de setiembre; pero la movilización ciudadana, bajo el concepto del Referéndum de la Calle, cobra ahora vigencia estratégica (Art. 108; 2007, May 4)

Pero las fuerzas sociales, cívicas y políticas opuestas al nefasto TLC, no se detendrán ni un minuto, no solamente en su proceso organizativo para la sepultura del mismo en las urnas en el referéndum anunciado para setiembre; sino para la nueva alternativa de movilización ciudadana vía Referéndum de la Calle (Art. 142; 2007, May 12)

Thus, in existing side-by-side with the institutional referendum, the call to the street is legitimate – “not a revolt”– and perhaps further legitimized by the “failure” of the institutional route to resolution referred earlier and reiterated here.

Given the TSE’s refusal to “freeze” the movement of the “implementation laws,” which could, in essence, nullify the will of the people by creating a “CAFTA-DR without CAFTA-DR” (TLC sin TLC) through the legislative/legal route, the “credibility” of the referendum was “pulverized” “obliging” the social movement to “unite,” “invoking the Democracy of the Street” to “legitimize” the “crooked strategy” of the Government. Thus, the “people” are “going to decide” CAFTA-DR in “the only place” that is left to them – “the street.”

No es rebeldía llamar a lanzarnos a las calles si irrespetan la pureza del sufragio impulsando con furor la agenda paralela, garantizándose así “del ahogado el sombrero”. (Art. 143; 2007, June 24)

La aprobación de uno sólo de esos nefatos 13 proyectos de tal agenda, verdadero TLC sin TLC, pulverizará la credibilidad en el proceso del referéndum, obligando a nuestras entidades a unirnos, a viva voz, al posible llamado la Resistencia ciudadana, invocando la Democracia de la Calle, pues se estaría legitimando una estrategia tramposa del Gobierno de los hermanos Arias Sánchez. (Art. 139; 2007, July 11)

Pero eso es lo que va a decidir el pueblo y en el único lugar que se le deja: en la calle (Art. 144; 2007, July 4)
But still, according to the opposition, Costa Rica “had made” “strategic decisions” in both “the street” and at “the ballot box” – a route which led the “Movement for No” to defeat. The defeat, however, was framed as “not a failure” but rather a “beginning” of “Costa Rican unity” “around its social organizations,” and a “call” to “maintain activity” because the movement has lost “just one of the many battles,” “not the war.” Indeed, “future, more radical campaigns” in the country “can emerge” from this loss, with the opposition promising that the “fight will intensify in the legislative assembly as in the streets” against “the laws” necessary to put CAFTA-DR in effect.

“En Costa Rica hemos tomado decisiones estratégicas en la calle y en las urnas. No queremos una sociedad de exclusión. (Art. 145; 2007, October 27)

el resultado del referendo, no debe ser visto como una derrota para este movimiento social, sino como una llamada a la unión y a la necesidad de mantenernos activos, que serán el verdadero triunfo. (Art. 131; 2007, October 8)

estoy convencido que lamentarnos es de perdedores y debemos soñar con que esta es sólo una de las muchas batallas más que nos faltan. (Art. 128; 2007, October 8)

El 7 de octubre del 2007, deberá quedar marcado en la historia patria, no solo como el primer referéndum, sino como el inicio de la construcción de la unidad del pueblo costarricense alrededor de sus organizaciones sociales. (Art. 125; 2007, October 8)

La lucha social por una alternativa a los tratados de libre comercio ha perdido una batalla importante en Costa Rica, pero aun no la guerra.... La victoria del NO en Costa Rica es de haber construido poder popular... De ahí podrán emerger futuras campañas más radicales en el país. (Art. 137; nd)

Es de esperar que de aquí a Febrero de 2008 la lucha se intensificará tanto en el asamblea legislativa como en la calle en torno a las leyes que ha de aprobar dicha asamblea legislativa de Costa Rica en torno a la "liberalización" de las telecomunicaciones, los seguros, los patentes y los derechos de propiedad intelectual, entre otros. (Art. 137; nd)
Conclusion

Looking across the discursive phases reported in this chapter, the opposition, by and large, constructed CAFTA-DR as an issue of “us” versus “them” – suggesting the existence of legitimate and illegitimate actors and interests, along with authentic and inauthentic resolutions to CAFTA-DR. The oppositional discourse was critical of CAFTA-DR as privileging the ruling elite and transnational corporations (them) over the interests of the Costa Rican people (us; el pueblo). This privilege was expressed through the framing of CAFTA-DR as being “imposed” (imponer) on Costa Rica, and placing in jeopardy legitimate rights of the people to both self-determination and social services delivered through Costa Rica’s strong state model of development.

While the discourse of “imposition” (imponer) was literally expressed in both the first and second phases (before the signing of CAFTA-DR through the election of Oscar Arias in 2006), the sentiment persists, albeit figurally, in the third and fourth stages. In the first phase, the opposition used the frame of “imponer” to draw attention to the differences between the Costa Rican negotiators and the Costa Rican people (el pueblo), with the former selling out the interests of the latter, for the benefit of big businesses. In the second phase, the “imponer” frame was used to draw contrasts between “their” model of development (neoliberalism) and “our” model of development (strong state), highlighting the foreign interests at play and the foreign nature of CAFTA-DR. In the final two phases (three and four), the sentiment of “imponer” was reflected in the discourse of the ICE “opening” (apertura), and the framing of CAFTA-DR as being “sold” through multimillion dollar
media campaigns, funded by the government, transnational corporations, and other foreign powers.

The entire process of CAFTA-DR is constructed as being imposed by “them” – whether the Arias Administration, the TSE, the Legislative Assembly, or the transnational corporations. As such, each phase of the discourse provides a “call” (un llamado) to action, directing “us” to fight CAFTA-DR either in the street, through institutional routes, or through both. While the first phase of discourse makes a clear and unmistakable call to fight in “the street” (la calle), this route to resistance is somewhat muted through the remaining three phases, which tend to make more space for institutional resistance over time. For instance, the second phase of the discourse emphasizes the “fight” (la lucha) that continues around CAFTA-DR, but suggests that the vehicle for such a fight is debate, dialogue, or discussion. The call to the street resurfaces in the third phase and fourth phases, yet it is tempered by an opposition that is almost apologetic to institutional routes to resolution of CAFTA-DR.

While the discourse consistently criticizes governmental institutions such as the TSE, Sala IV, and the Legislative Assembly, as being hijacked by neoliberal interests and failing the people (el pueblo), it never calls for a complete abandonment of the institutional process. Despite its failures and ineffectiveness, the opposition continues to appeal to institutional actors for the resolution of CAFTA-DR. This suggests that the resistance itself has been hijacked, choosing to downplay popular routes to resolution, such as the “referendum of the street” (referendum de la calle), that was successful in defeating the COMBO legislation in
2000, while emphasizing formal government routes for resolution. Given that La Nación had largely delegitimized the popular movement in the streets, it appears as if the oppositional discourse is operating within the bounds set by the Arias administration, and its’ spokesperson, La Nación.

By choosing to emphasize institutional routes over popular routes, the opposition itself was complicit in its own defeat. It was not just that the Arias administration and formal government “had appropriated the struggle and shifted it to their own camp” with the convening of a referendum as Trejos (2007) suggests, but also that the opposition accepted the referendum as a legitimate means for resolving, and advocated in favor of a referendum “at the ballot box” (en las urnas) over a true referendum “in the street” (en la calle). This lukewarm call for resistance is indicative of the precarious middle position occupied by Costa Rica. It both appeases the neoliberal forces from by accepting the terms of debate that frame CAFTA-DR as “free trade,” and development/progress as dependent on both “market access” and the “individual initiative” of national and foreign capital; and appeases the popular forces from below by framing the resistance to CAFTA-DR in terms of solidarity and citizen participation.

Despite promising that the struggle will continue, however, and that “future, more radical campaigns” in the country “can emerge” from this loss, the potential for success of such campaigns is questionable at best, given the current strategy of the Costa Rican left. As illustrated through the discourse reported in this chapter, the opposition strategy consisted of a strong call for resistance via institutional channels, such as the Legislature, Constitutional Court, and the referendum, in
addition to a somewhat more muted call for citizen action in the streets.

Institutional resistance, in theory, can only be successful if made so by a national bourgeoisie that replaces current structures of neoliberalism with a more popular form of neoliberalism.

Desai (2004), however, points out how the national bourgeoisie which rises to power under populist promises of reform, largely operates as a “comprador bourgeoisie” that behaves as any capitalist class would, selling out majority interests for its minority benefit. Thus, the emphasis that Kumar (2008) places on collective, rather than individual struggle, offers a bit of insight for the protracted struggle against neoliberalism in Costa Rica. The movement must create strategies that generate solidarity among diverse groups of activists, along with broader segments of the general public. The Combo movement, which was successful in forcing the government to remove the privatization of ICE legislation from the legislature, was largely a grassroots movement, which drew support from all walks of Costa Rican life – including the large middle class. According to Kumar (2008), as solidarity and public support grows, the mainstream media will no longer be able to marginalize the opposition, and will be forced to present its discourse. Thus, solidarity becomes the key to breaking the monopoly that ruling class capitalist governments have on mainstream discourse, and will thus allow an opening for the reframing of critical terms such as “free trade,” development, and progress.
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Conclusion

This dissertation has sought to explore the ways in which the broader discourses of neoliberalism (“from above”) and “socialism for the 21st century” (“from below”) place pressure on, or are manifest in, the discourse of CAFTA-DR in the United States and Costa Rica. It has specifically sought to answer “how does the discourse reflect, negotiate, or reject the broader ideological positions of the debate over economic models?” By applying the grounded theory approach to frame analysis of the mainstream, independent, and campaign discourse of CAFTA-DR most specifically in Costa Rica, evidence of all three “positions” (reflection, negotiation, rejection) was found.

Key Findings

As in the literature of neoliberalism, the mainstream “papers of record” – the Times in the U.S. and La Nación in Costa Rica – frame CAFTA-DR in neoliberal terms, as an almost happy equation: free markets + free trade = wealth, democracy, and peace (Barkawi, 2006). The ideological underpinning of this neoliberal equation is the idea that the engine of wealth, democracy, and peace is the elite capitalist class, whose further enrichment by free markets and free trade will somehow trickle down and positively impact the lives of the masses (George, 1999). The mainstream news coverage from the NY Times and La Nación obscured this class conflict, and constructed the nation as a single, classless “we” or “us” struggling for a common interest against a foreign “them” (namely, Hugo Chavez, Fidel Castro, Evo Morales, and Daniel Ortega). Thus, the mainstream discourse of CAFTA-DR, presented in Chapters 2 and 5, borrowed largely from the discourse of neoliberalism that was
expressed so cogently by Charles Wilson, former president of General Motors, when he proclaimed – “What’s good for GM is good for America.”

The *NY Times* specifically framed CAFTA-DR as “progress” and “protection,” with these frames being reproduced, albeit on slightly different terms, in Costa Rica by *La Nación* and the videos of the “yes” campaign. A strong message of the campaign was “adelante” (advancement), suggesting that CAFTA-DR means progress for Costa Rica and Costa Ricans. For the most part, the mainstream news framing privileged the neoliberal model of free trade offered by CAFTA-DR as being the preferred mode for advancement, and in some ways the only mode for advancement. The *Times* almost completely presented CAFTA-DR through the “TINA” (“there is no alternative”) frame that is fundamental to the neoliberal rationale. *La Nación* relied on the “TINA” framing also, but adapted it slightly – creating a negotiated discourse – to incorporate oppositional arguments that CAFTA-DR was not necessary, as many of the “benefits” it would provide were already provided through the Caribbean Basin Initiative (CBI). For the most part, however, *La Nación*’s framing echoes that of the *NY Times*.

The oppositional discourse was more nuanced than the “pro” CAFTA-DR discourse. It responded to, and included facets of, both the neoliberal and more popular, “socialist” rhetoric. For instance, it clearly advocated a market based economic model for Costa Rica that “respects private initiative” and allows transnationals to play a “complementary” “role” to “national investment.” It suggested that the current neoliberal free trade model is not completely bankrupt,

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78 See Kumar (2008)
and that a “better” free trade agreement could be achieved through “better” negotiation. In fact, it was even “in agreement” with a “slow and well planned opening” of the ICE as a means to “develop the capacity” to compete in the “open market.” “No one,” according to opposition discourse, “opposes trade.”

On the other hand, the oppositional discourse strongly incorporated the more popular discourse of “socialism for the 21st century” that pushed up from below. Where the neoliberal discourse sought “to remove citizens from participation in political life” (Falk, 2008, p. 589), the popular discourse sought to pull citizens into the CAFTA-DR process. The oppositional discourse used imagery of direct participation, direct action, and direct democracy to communicate its position and distinguish its vision from the vision of neoliberalism. Still, the oppositional discourse strongly illustrates the precarious “middle position” delineated in Chapter 1. At once, the discourse reflects both neoliberal and popular/”socialist” rhetoric. On the one hand it is revolutionary, relying heavily on the popular/”socialist” discourse of “la calle,” which encouraged Costa Ricans to take to the street and to force resolution of the CAFTA-DR issue through social protest and action; while on the other hand it is reformative, calling for Costa Ricans to utilize the system and respect the “ballot box” (las urnas) as the legitimate space for resolution of CAFTA-DR. The discourse of the opposition, as such, incorporated both ideologies from above and below, to advocate a somewhat muted and unclear, middle way.

Ideologies from above (neoliberalism) and below (“socialism for the 21st century), along with negotiated middle positions can be seen clearly through the language and imagery of “el Pueblo” used by both sides to argue for, or against,
CAFTA-DR. Generally, the “yes” camp relied most heavily on the discourse of neoliberalism to frame CAFTA-DR as progress for the nation, specifically through individual consumption and opportunities. As such, “el Pueblo” was constructed as operating through the ruling government, through appeals to democratic institutions – such as the TSE, Sala IV, the Legislature, and voting in the referendum – as legitimate routes for resistance to, and resolution of, CAFTA-DR. Still, aspects of negotiation can be seen, as the representation of “el Pueblo” is not simply one of middle class consumption, but rather a more nostalgic one of peasantry, farmers and families. This calls to mind Margaret Thatcher’s own negotiated “defense” of the hyper-individualism that is usually associated with neoliberalism:

[W]ho is society? There is no such thing! There are individual men and women and there are families and no government can do anything except through people and people look to themselves first.79

Similarly, the “no” camp relied most heavily on the popular discourse of “socialism for the 21st century” to frame CAFTA-DR, but also incorporated neoliberal discourse to construct a negotiated middle position. While “el Pueblo” was largely constructed as “hot nationalists,” waving flags fervently and taking to the street in protest of CAFTA-DR, it was also constructed as operating within the system of institutional government to resolve CAFTA-DR. Once again, Thatcher’s quote above becomes salient, as we see that both sides of the debate soften their tones to respond to both Costa Rica’s cultural/historic context and the pressures from the discourse from below (“socialism for the 21st century”). Given that both sides

argued their positions in terms of “el Pueblo” issues of legitimacy and authenticity took center stage throughout much of the debate. This is reflective of the more general literature of nationalism and national identity.

A Struggle for National Identity – Activating the Literature

What began as an investigation into the discourse of “free” trade became an investigation into the much more subjective and emotional definition of nation and national identity. The literature on nationalism and the construction of national identity has long sought to explain how the collective “we” of a society is defined and reproduced through daily performance of everyday life. The literature suggests that national identity is constructed by ruling class elites and disseminated to the masses (Purnell, 2002) through mainstream media, such as newspapers (Anderson, 1991), and reinforced through the routines of daily life, such as language, and the national flag which hangs outside government and other buildings (Billig, 1995).

Through the use of “el Pueblo” the discourse of CAFTA-DR activates the literature on nationalism and national identity. In the case of CAFTA-DR in Costa Rica, “pro” CAFTA discourse of La Nación and the “yes” campaign sought to “manage and domesticate” (Rivers-Moore, 2007, p. 343) class and racial differences, thus hiding “the fractures, divisions, and relations of power within the nation” (Suny, 2001, p. 871). By appealing to its’ longstanding myth of Costa Rican exceptionalism (See: Rivers-Moore, 2007), the ruling class elite produced a national identity of equality, democracy, and harmony, which became hegemonic through the acts of “banal nationalism” (such as the hanging flag, or the use of the term “Tico” to refer to Costa Ricans) participated in, or observed by citizens subconsciously, on a daily
basis (Billig, 1995). This framing of “el Pueblo” was challenged in the streets by the social movement against CAFTA-DR, and ideologically by the oppositional discourse, which constructed “el Pueblo” as representing the majority of Costa Ricans – peasants, and working classes – who were not only opposed to CAFTA-DR, but participating in direct action against the agreement.

As a result of this challenge to its framing of “el Pueblo” the “pro” CAFTA discourse softened its framing by supplementing the strong individualism of neoliberalism with imagery of peasants and families. Similarly, the “anti” CAFTA discourse softened its framing by supplementing the imagery of direct action in the streets (la calle) with more institutional images of, and calls to, the ballot box (las urnas) and other institutional routes of resolution. As a result, the case of CAFTA-DR in Costa Rica illustrates how not only discourse, but also national identity, is negotiated in this era of globalization.

**Next Steps**

The current study was limited to an investigation of the discourse of CAFTA-DR. While it has gone to great lengths in terms of uncovering the broader ideologies that underpin and pressure the discourse, it did not intend to explain how and why such discourse emerged. This provides a substantial opening for future research, to tease out the context from which the discourse emerged.

In the past, most academic research on social movements has focused on the ability of the proponents to break through the filters of the mass media and use it as a tool for disseminating information and generating empathy among larger portions of the population not directly impacted or linked to the movement (See Kumar,
In the case of Costa Rica, however, the movement had been relatively successful without widespread media coverage. The success of the movement supports Edwards (2004) claim that public spheres are generated by social movements, when “global” interests of the state (“system”) begin to eclipse and pressure “local” interests of the people (“lifeworld”). Similarly, the dominance/resistance model of media production (Kumar, 2008) explains that widespread popular support for a movement makes it impossible for mainstream media outlets to marginalize its position and message.

Given the almost complete marginalization of the oppositional message by *La Nación*, and the ultimate result of the referendum – whereby the majority (albeit slim) of Costa Ricans voted in favor of CAFTA-DR by a margin of 52% in favor to 48% opposed – it becomes clear that the social movement was not able to generate enough solidarity across broader segments of society. This work has looked to the discourse of CAFTA-DR for evidence of the broader ideologies of neoliberalism and socialism that struggle for hegemony on the larger, global scale. Given that strong evidence of these discourses was found, a more sweeping sociological study of why CAFTA-DR passed, and the roles played by various social and political actors is called for. In light of previous victories of social movements both in Costa Rica (ie: the Combo movement of 2000) and abroad (ie: the Cochabamba water wars in 2001, among others) future studies might also look more comparatively at movements against neoliberalism as a means to distinguish between more and less successful strategies. This type of study would be helpful in turning the World Social Forum’s
vision of “another world” as being possible into a reality and reinvigorating a Left
that has struggled to define tangible alternatives to the neoliberal juggernaut.
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Appendix 1:
CAFTA-DR Timeline of Events

Preceding Legislation:

- FTAA Negotiations begin 1994
- Trade Act 2002

History of CAFTA:

January 8, 2003 - Negotiations for CAFTA began

By December 17, 2003 - The U.S., El Salvador, Guatemala, Honduras & Nicaragua agreed to the text of CAFTA

By January 25, 2004 - Costa Rica reached agreement on the text

May 28, 2004 - CAFTA signed by each country

December 17, 2004 – El Salvador ratifies

March 3, 2005 – Honduras ratifies

March 10, 2005 – Guatemala ratifies

July 27, 2005 – U.S. ratifies

August 2, 2005 – U.S. implements

January 1, 2006 – Anticipated start date (missed)

February 5, 2006 – Arias elected president of Costa Rica

March 1, 2006 – El Salvador implements

April 1, 2006 – Honduras & Nicaragua implement
July 1, 2006 – Guatemala implements

October 23 & 24, 2006 – Two days of public action against CAFTA in

Costa Rica

October 23, 2006 – Television poll found that 57.4% supported withdrawing

CAFTA from the legislature

December 3, 2006 – Local elections, PLN (Arias’ party, pro-CAFTA) wins 59 of the 89 municipalities. Anti-CAFTA PAC party wins only 3 seats

Early December 2006 – It is hoped that CAFTA will take effect in the

Dominican Republic (the legislation has passed; U.S. certification pending).

January 18, 2007 – Costa Rican legislature votes to limit CAFTA debate to two months (“Fast Track”).

February 19, 2007 – Costa Rican telecommunications workers union (ICE) goes on strike.

February 26, 2007 – 23,500 people march in San Jose against CAFTA.

February 28, 2007 – ANEP announces in La Nación that if CAFTA progresses, it will be met with a “referendum in the streets.”

March 1, 2007 – CAFTA-DR celebrates its one-year anniversary in El Salvador; Dominican Republic puts the agreement into force.

April 12, 2007 – The Costa Rican Tribunal Supremo de Elecciones (TSE) rules that a binding referendum (iniciativa ciudadana) is needed for resolution of CAFTA.
April 14, 2007 – La Nación reports that President Arias hopes for a referendum (referendum ejecutivo) in August (or September at the latest) to accept or reject CAFTA. The legislature will continue to debate CAFTA, but will not vote on it, unless voter turnout for the referendum is too low.

May 1, 2007 – Workers demonstrate against CAFTA and asked the TSE to guarantee “transparency” in the referendum.

May 22, 2007 – Radio Eco reports that the “No” camp has activated 100 “patriotic committees” to spread arguments against CAFTA in local communities.

June 14, 2007 – The “Coordinated” (La Coordinadora) fight against CAFTA holds demonstrations outside the Supreme Court, the Supreme Elections Tribunal (TSE), and the Legislative Assembly.

June 21, 2007 – Tico Times reports that nearly half of the voting heads of households would vote for CAFTA-DR; 37.6% would vote against CAFTA; and 12.8% remain undecided.

July 3, 2007 - Tribunal Supremo de Elecciones (TSE) rules that the text of CAFTA does not violate the Costa Rican constitution.

July 12, 2007 – Tribunal Supremo de Elecciones (TSE) rules that at least 40% of the Costa Rican voting public must participate in the referendum for the results to be binding.

July 24, 2007 - CAFTA opponents demonstrate outside the TSE to protest the referendum process.
August 20, 2007 – “Thousands” of students protest against the TSE, demanding “autonomy” for universities in terms of discussions about CAFTA.

September 2007 – “memo gate”

Costa Rican press reports on a memo written by the second VP (Kevin Casas) to President Oscar Arias, that outlined tactics (dirty) to secure a “yes” (“sí”) victory in the referendum.

September 30, 2007 – Reuters reports “huge crowds” of more than 100,000 Costa Ricans participate in anti-CAFTA protests held in San José. In addition, poll results on voter intentions for the referendum are cited, “50.6 percent saying they’d vote "yes," while 44.7 percent said they opposed it.”

October 4, 2007 – According to TSE regulations, propaganda campaigns for, and against, CAFTA must end at 12:00 midnight.

October 6, 2007 – La Nación reports that the U.S. White house has confirmed that it will not renegotiate CAFTA.

October 7, 2007 – The public referendum is held in Costa Rica

- 51.6% vote in favor of CAFTA
- 48.4% vote against

October 11, 2007 – La Nación reports that PAC, after meeting with the government, agreed to not “obstruct” the passage of the CAFTA laws.

October 18, 2007 – Legislative Assembly votes favorably to apply “fast track” status to the laws needed to implement CAFTA.
October 27, 2007 – Opposition group makes plan to meet, in order to decide new structure, objectives, and leadership.

November 21, 2007 – President Arias signs CAFTA into law and calls on the legislature to pass the 13 “complementary laws” to put CAFTA into effect by the March 1, 2008 deadline stated in the agreement.

November 23 & 24, 2007 – Patriotic Committees take to the streets in a “Day of Information” to inform Costa Ricans about the irregularities of the referendum.

November 26, 2007 – ICE workers go on strike to protest the “complementary law” that would privatize the state-run electricity enterprise.

December 26, 2007 – The TSE authorizes the collection of signatures in order to hold a referendum on the laws concerning the patenting of vegetation (UPOV). A referendum was avoided when Congress passed the law on February 22, 2008.

February 27, 2008 – Reuters reports that Costa Rica “wins” a 7-month extension to pass the laws needed to enter into CAFTA. This extends the deadline from March 1, 2008 to October 1, 2008.

June 11, 2008 – The Costa Rican legislature passes “fast track” consideration for the final implementation law (concerning intellectual property) necessary to put CAFTA into effect.
September 11, 2008 – The Costa Rican Constitutional Court (Sala IV) declares the approval process for CAFTA “illegal” because it did not include consultation of the indigenous population.

September 24, 2008 – *La República* reports that President Arias must ask the United States for a “second” extension in the deadline to pass CAFTA through the Costa Rican Congress.

October 17, 2008 – Bolivian News Agency (Agencia Bolivariana de Noticias) reports that the “Costa Rican people don’t support the incorporation of CAFTA.”

November 3, 2008 – In an interview with *The Miami Herald*, ex-Presidential candidate and leader of the opposition (PAC) party, Ottón Solis, declares CAFTA a “bad deal” for Costa Rica.

November 12, 2008 – The Costa Rican legislature passes the last law (which dealt with intellectual property) necessary to implement the CAFTA agreement.

November 18, 2008 – *Prensa Latina* reports that anti-CAFTA social organizations in Costa Rica have developed a campaign to urge U.S. President elect Barack Obama to accept a renegotiation of the CAFTA-DR agreement.

January 1, 2009 – CAFTA goes into effect in Costa Rica.
Appendix 2: Methodology

Frame analysis is a vibrant field of research, with multiple methods of data analysis. In the current analysis I utilized what I refer to as a “synthesized” approach – borrowing from the grounded theory approach (Strauss & Corbin, 1998),\(^\text{80}\) and the list of frames approach (Tankard, 2001).\(^\text{81}\) Each approach is summarized below, followed by a description of the process as I applied it to the discourse of CAFTA-DR.

Grounded theory is a highly inductive process through which theory emerges from the data. Validity is added to findings by applying a systematic, or sequential process that allows the researcher to move from more simple acts of description, through more complex acts of ordering and organization, and on to the generation of theory. Specifically, the process begins with “open coding,” where “data are broken down into discrete parts, closely examined, and compared for similarities and differences” (Strauss & Corbin, 1998, p. 102). Whereas “open coding” creates broad grouping or categories of data, the second step of the process, “axial coding,” relates categories “to form more precise and complete explanations about phenomena” (p.124). The final step in grounded theory, “selective coding,” hinges on “integrating” the categories and relationships exposed in open and axial coding.


The researcher seeks out, and exposes, the central explanatory concept, which, is then validated against the data and formalized into theory.

In many ways, Tankard’s (2001) “list of frames” approach is quite similar to Strauss & Corbin, albeit it is phrased in more down to earth terms and in a more action oriented way. Tankard advises researchers to: (1) make the range of possible frames explicit; (2) put the possible frames in a manifest list; (3) develop keywords, catch phrases and symbols to help detect frames; (4) use the frames in the list as categories in a content analysis; and (5) code the content of the articles into the categories.

Given the accessibility of Tankard’s process, his approach can be seen most strongly in my own process when engaging the discourse of CAFTA-DR. Multiple readings and constant comparison were fundamental activities in my approach to frame analysis. An initial reading through a data set was performed, whereby a “laundry” list of frames, themes, and content began to take form. This list was a living document, with subsequent readings leading to not only new additions, but also the collapsing and correlation of smaller frames and themes into broader categories. As these broader categories emerged, and additional readings yielded no new frames or themes, a series of “final” readings were performed, whereby the categories were tested against the data for validation. These categories were then related to the existing literature, thus allowing the theory, or “central explanatory concept” suggested by Strauss & Corbin to be made manifest.
Appendix 3: The Memorandum\textsuperscript{82}

To: The President of the Republic, Minister of the Presidency

From: Kevin Casas,\textsuperscript{83} Fernando Sánchez \textsuperscript{84}

Date: July 29, 2007

Subject: Urgent actions to activate CAFTA’s YES campaign

Dear don Oscar and don Rodrigo:

After a long conversation on Friday the 27th, following a debate about CAFTA in San Isidro de Heredia, an activity that turned out to be very revealing, we have decided to send you this memo which points out some actions that we feel would be convenient, to activate as soon as possible the pro CAFTA campaign. Evidently, these are not the only actions that should be taken, but we think they are important.

1. Establish a strategy committee for the YES campaign

This is probably the most urgent of all. At this moment there is no clear orientation of what we have to do in order to win, how to do it and who to do it with. But, even worse, there is no mechanism established to take those decisions. What we have, and only sort of have, is only an operational structure and only a tactical response, but no strategy. This gap has been filled with the decisions (or absence of them) taken by the communications group, which is clearly not enough. It is essential that the President of the Republic and the Minister of the Presidency participate in this committee.


\textsuperscript{83} Vice-president and Minister of Planning

\textsuperscript{84} Congress-member and cousin of President Arias
2. Build a social coalition in favour of CAFTA

We transcribe here what one of us wrote almost 3 years ago in a memorandum addressed to Marco Vinicio Ruiz: “the debate will not be won by the government alone or by the businessmen by themselves, but it can be won by a coalition”. One of the grave mistakes made by the sectors who favour CAFTA has been to delegate its defence to the negotiators of the agreement and, in general, to the government. Even before the recent scandals that have diminished trust in the political establishments, the levels of credibility of the government were very low and probably insufficient to give legitimacy to such a controversial project. At this time nobody believes a word said by the government or the politicians and for this reason, it would be lunacy to delegate in them the defence of the treaty. To form a coalition and to make the defence of the treaty a collective job is crucial not only to overcome this lack of legitimacy, but also to avoid that the discussion shows the same imbalance that was broadly visible during the “combo” conflict in the year 2000, when the organization of the opposition had no more counterweight than the lonely voice of the government. It is vital to demonstrate that in the discussion about CAFTA there are two major groups of interest, and that this implies that the favourable sectors –who’s interests are not diffused and are as intense as those of the opposition- must be organized and articulated. This is essential in order that the discussion about CAFTA does not show the same results as the “combo”.

The importance of this point cannot be evaded. The campaign about CAFTA is becoming what we should have never allowed it to become: a struggle between rich and poor, and between the government and the people. The coalition against us
is formidable: universities, the church, unions, environmental groups, etc. And, on
the other side, in favour of CAFTA, there is only the government, and some of the big
entrepreneurs. There is no way to win like this. It is very urgent to include in the
campaign, at least, the small entrepreneurs, the work unions, and whatever we can
from the cooperative movements. And when we say they should be included in the
campaign we simply mean that the faces of their leaders should “appear ”
everywhere. Obviously, if these leaders can also effectively control part of these
social movements, it would be better. It is true that, in the work unions in
particular, there is no strong national leadership. If this is the case, they will have to
be created now. We have to give a presence in the media to some of the faces from
the work unions, and that in itself will make them leaders. Who was Eugenio Trejos
in our country six months ago? It is the media that has made him a national leader.

3. Negotiate a recess in Congress

The campaign urgently needs our presence in all the communities of the
country. Decreeing a recess in Congress is the key which will enable us to bring our
congressmen –who are greater in number than those of the opposition and who face
no limitations with regard to campaigning - to the communities, to organize the “on
foot” campaign. It is evident that this may have a cost on the progress of the
legislative agenda, but at this moment that is a third order problem. The first is,
evidently, to win the referendum. In any case, at this moment the legislative agenda
is not advancing due to lack of a quorum. That leaves us in the worse case scenario:
the press is holding PLN responsible for the lack of a quorum, while the opposition
(and even many of our “allies”) are not seen as responsible and are in campaign.
Besides, the continuation of negotiations in Congress expose us to constant blackmailing from our legislative “allies”, which end up reflecting on the YES campaign.

4. Formalize an alliance with the Municipal Mayors, particularly those from PLN

This is decisive and for reasons similar to those above: we need to have a presence in the entire country. There is a letter signed by 72 Mayors that is not, at all, insignificant. In it, they offer their support to CAFTA asking, as it is entirely to be expected, some things in exchange. The content of the letter has some elements which may be put aside, others that are entirely negotiable and others that are quite positive for the government (for example, the explicit support they offer with regard to tax reform). It is vital to answer this letter properly, answer it soon, and answer it during an important public act.

But there is something else which must be done, particularly with the 59 Mayors of the PLN. We have to hold them responsible for the campaign in each canton and make clear to them, with all coarseness, a very simple idea: the Mayor that doesn’t win his canton will not get a penny from the government in the next 3 years. The same reasoning can apply to the councillors, who can be made responsible for specific districts. In this last case, we have to remind them of their personal aspirations: their possibilities of continuing to be councillors or becoming Mayors or Congressmen lie in the winning or loosing of the referendum. Not only because in the next election the outcome of the PLN will be very much affected by the result of the referendum, but because this election will allow the higher authorities of the PLN to determine who has leadership and who doesn’t. Many of
the local leaders are not getting into the campaign so they don’t “burn” themselves before the next election. The reasoning has to be exactly the opposite: the one who doesn’t entirely cooperate, “burns”.

What is at the base of this is a deeper and more important issue: it is urgent to extend the circle of the people who are “willing to bet their lives” on this referendum. At this moment there is amongst our allies – both inside and out of the PLN- a general attitude of indolence, as if they feel that the only one that will be affected by defeat would be the President. It is vital that they understand that they will be directly and gravely damaged.

5. Make the support of the PLN official

To build the social coalition previously mentioned we have, unfortunately, very little time. What we have in our hands is something less palatable, but useful: a political coalition. And that implies the full integration of the PLN, which is by far the most important actor in this coalition. With the exception of our legislative faction, so far the role of the organisms of the PLN in support of CAFTA has been excessively moderate. There is not a single official pronouncement from the PLN in favour on CAFTA, nor is there a clear directive to the structure of the party. That has created great confusion in our leaders, who know very well that part of the party is against CAFTA. The official structure of the PLN (Directors, Executive Committee) has to start talking unmistakeably in defence of CAFTA, in the understanding that one of the main winners or losers of the referendum will be the PLN.
6. Structure and launch of a massive campaign in the media

Beyond what can be done in the communities and in private enterprise, there is such little time left that we should have no shame in saturating the media with publicity. And precisely because of this short time, it is imperious to direct the campaign in two directions:

1) Shatter the idea that this is a struggle of the rich against the poor.

That requires that we choose very well the faces of the massive communications of the YES, using almost exclusively, workers and small entrepreneurs. Likewise, we have to greatly increase the presence of the government in the media.

2) Stimulate fear. We can use four kinds of fear:

i. Fear of loss of jobs. Here it would seem very recommendable to use intensively testimonials of very simple people in precarious situations that might loose their job, or have already lost it because of the non approval of CAFTA. This is also vital to reinforce the idea that this is not a struggle of the rich against the poor. In the same way, it is possible that in some specific regions it would have a great impact to show specific cases of companies that have postponed investments, that have cut shifts or that are considering leaving the country due to the non approval of CAFTA.

ii. Fear of attack to the democratic institutions. It is crucial to make YES the equivalent of democracy and institutionality
(this is what Eduardo Ulibarri said: we have to fill YES with a content of values) and make NO the equivalent of violence and disloyalty to democracy. There is something very important here: this campaign is no longer rational and, in consequence, about the contents of CAFTA. So, the argument of the defence of democracy is the only resource we have left to move the emotions of the people who favour CAFTA. At this moment the people in favour not only don’t have any motivation, but feel intimidated by the motivation shown by the NO people. We have to understand one thing: no one is willing to “die” for free trade, but maybe they would for democracy. We have to give YES an ethical motivation, and not only an instrumental one.

iii. Fear to the foreign influence in the NO. We have to insist everywhere on the connection of the NO with Fidel, Chaves and Ortega, in very strident terms. It is possible that this kind of campaign might be uncomfortable to some people, but it is almost sure that it can have a considerable impact amongst the simplest people, which is where we have the most serious problems.

iv. Fear of the consequences of a triumph of NO on the Government. All the surveys show an important degree of satisfaction with the President and the government. Many people simply haven’t made the connection that a triumph of
NO in the referendum will leave the government in a precarious situation, with its effectiveness totally reduced, and the country in a situation of poor governance. That connection has to be induced. This is an argument that might only work for certain sectors, but it can be very effective in planting doubt. There are three questions that have to be planted in the minds of people, that can make their finger shake if they are planning to vote NO:

a. Are you willing to risk the financial stability that almost everybody acknowledges as a government accomplishment?

b. Are you willing to return to the times of Abel, when no one governed, there was no sense of direction and nothing happened in the country?

c. Have you considered who will rule the country if NO wins? (Induced answer to the question: Albino, Merino, Carazo, etc, will rule)

Likewise, it is very important to strengthen our presence in radio (both national and local) and in rural written media, where we have big problems. We have to have a presence in every opinion program, and enhance advertising of the government in a series of radio programs conducted by people who are willing to help the government (example Javier Rojas, Jaime Peña, etc). If the presence of YES on the radio doesn’t drastically improve, this will continue to manifest in our
weakness in rural areas. It is very possible that the problems we have in rural zones have less to do with the basis of the campaign (themes badly attended or non-attended by it) and more with the way that people get informed in the rural zone, where radio is a very powerful media of information.

7. Generate a great amount of printed documentation about CAFTA and about the opposition which can be easily distributed.

A serious problem some of us who are doing advocacy in favour of CAFTA have is the total absence of easy-to-digest documentation that can circulate massively. As it is known, this is a point in which the NO has developed particularly well. At this moment the whole country is wrapped in flyers. The documentation that has to be done is of three kinds:

1) The one that clears, in very simple language, some of the most insidious arguments against CAFTA (medicines, water, cell phones, etc). As part of this, it is very important that some key institutions (for example, ICE, CCSS, AyA, MTSS) generate official flyers that answer in very clear terms the flyers that are being distributed in their own offices by the unions of the institutions. These are information flyers that cannot, in any way, ask for support for CAFTA (this because of the resolution from the TSE – Supreme Election Tribunal);

2) The one that exposes the effects of a rejection of CAFTA over specific sectors or aspects (example: the presentation used by Jorge Woodbridge);
3). One that seeds ill feelings over the leaders, motives, methods, financing and international connections of the NO.

8. Organize a systemic visit program to companies by high government officials.

At present, the space for campaigning which is the easiest to make use of and offers best opportunities is, by far, companies. There are more than a million workers there. We must organize a systemic visit effort to the largest companies of the country, with talks in favour of YES given by high level people and with documentation in hand. No campaigning effort is potentially as effective as this one. Ideally, this requires five steps:

1) Obtaining information on which are the largest companies and where they are located;

2) Contact the entrepreneurs obtaining time for the talk;

3) Have the company send immediately a letter to the Ministry of Planning requesting that the government send a representative to speak about the National Development Plan or the future vision of the country or something like that (this to cover our backs when facing TSE - Supreme Election Tribunal);

4) Put together a program of visits to companies for, at least, 30 government dignitaries;

5) The dignitary visits the company (in some cases accompanied by the congressmen of the area) and leaves documentation.
If 30 dignitaries visit 10 companies per week, it will be possible to cover almost 2500 companies in the next 8 weeks. We have put emphasis on the largest companies and those that are exportation oriented. What is important, in any case, is to make sure that the dignitaries of the government and the congressmen are not seen going around with the President. This is an unjustifiable loss of time and effort.

9. Organize a multitudinous act of strength to motivate the campaign

There is a great lack of motivation among those who favour CAFTA, disorientation due to the lack of a campaigning and, in many cases, fear of expressing an opinion. We have to motivate the party members of the YES, make them feel that the campaign is doing things, that they are not alone, that we are many. It is recommendable to organize a public act or festival that is multitudinous (it could be a march, but there we almost always have problems). But people have to feel supported and motivated.
Acknowledgement of Previous Publications

Portions of Chapter 4, “Campaign Oriented Discourse: Authenticity, el Pueblo, and CAFTA-DR” and Chapter 5, “La Nación’s Framing of CAFTA-DR: Making CAFTA-DR Happen,” were inspired by an article previously published by the author. The full citation follows.

Curriculum Vitae

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